

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Gerardo Vargas

Request Conditional Use to allow countertop manufacturing with outdoor storage

Proposed Use Countertop manufacturing with outdoor storage

Size 0.64± acres

Zoning Current: **Highway Business** (H-B, [17.150](#)) / GCOD Overlay District ([17.420](#)) | Proposed: **Light Industrial** (I-I, [17.160](#)) / GCOD Overlay District ([17.420](#))

Location **1600 Athens Highway, Building C | Tax Parcel 15032 000050**

Commission District Three

Planning Commission Date February 6, 2023

Staff Recommendation **Approval as the proposed use is consistent with the Mixed Use Corridor in the [Comprehensive Plan](#).**

Planning Commission Recommendation.....**Approval, with conditions**
Vote: 5-0

Planning Commission Conditions:

1. The standards of the Gateway Corridors Overlay District (GCOD, [17.420](#)) shall apply except as noted:
 - a. No upgrades to the existing building shall be required.
 - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
 - c. An opaque fence shall be required to parallel US-129.
 - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, & type of construction. Standing seam roof panels shall be allowed.
 - e. No storage of material shall be allowed outside of the fenced area.
 - f. Gravel storage and parking is allowed for the area in the rear of the existing building.
2. The development shall follow all Hall County Development Review processes and stormwater requirements.
3. If the existing driveway is modified, a permit may be required by GDOT.

4. The following uses are not allowed:
 - a. Automobile repair garage.
 - b. Drive-in theaters.
 - c. Hotel, motels, or tourist courts.
 - d. Junk yards.
 - e. Planned-unit developments on a minimum of ten acres.
 - f. Service stations.
 - g. Family day care home.
 - h. Group day care home.
 - i. Ault establishments.
 - j. Astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

A companion rezoning application is on this agenda. The items may be heard together but shall require separate motions and votes since they are two separate applications and agenda items.

Public Forum

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting conditional use approval for outdoor storage of inventory items on a property located within the GCOD Overlay District ([17.420](#)). The applicant’s narrative states that marble will be stored outdoors, in an existing gravel parking lot in the rear of the property. A 12 foot by 68 foot shed is proposed to provide cover for the marble.

The narrative continues to explain that there is an existing security fence around the rear of the property. The fence will be improved so that it is opaque, but specific details on how this will be accomplished were not included with the application. Any lighting or signage will be consistent with Hall County regulations. As part of the development process, a tree replacement plan will be submitted by the applicant, and will again be consistent with Hall County standards.

The applicant has submitted a concurrent application requesting to rezone the property from Highway Business (H-B, [17.150](#)) to Light Industrial (I-I, [17.160](#)) for the purpose of operating a countertop manufacturing business on the property. The outdoor storage of inventory items will be marble that will be store outside in a gravel lot located in the rear of the property.

The property was previously approved as a welding and fabrication shop, and a machine shop, per Tidemark record 99000

Based on the future land-use plan, staff finds the conditional use request is consistent with the Comprehensive Plan’s future land use classification of a mixed use corridor. Mixed use corridors are anticipated to include retail activities, office based employment, and civic uses. Low-impact industrial or higher density residential only where the same is found on adjacent properties.

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision ([17.380.060](#)), the planning commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The requested use is consistent with the industrial development pattern of the area. Properties to the east, west, and south are industrially zoned.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **As the adjacent properties are also industrially zoned the use or usability of adjacent or nearby property should not be effected.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the current zoning designation of Highway Business (H-B, [17.150](#)) has reasonable economic use with the uses permitted under section permitted uses ([17.150.010](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service; **While it is difficult to fully assess the impact of a future development, as the property is already developed with a non-residential use, in a predominately industrial area, it is not anticipated that there would be an excessive or burdensome use of the existing streets, transportation facilities, or utilities.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The proposed use of a marble countertop manufacturing with outdoor storage of inventory items is consistent with the [Comprehensive Plan's](#) future land use classification of a mixed use corridor. In this corridor, low-impact industrial uses are permitted where the same is found on adjacent properties.**
6. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
7. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **There are no known changing conditions affecting the use or development of the property.**
8. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed use is not out of scale with the needs of the county as a whole. The subject property is part of a mixed use corridor as identified in the Comprehensive Plan.**
9. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support the proposed**

use based on the Future Land Use Map and existing zoning designations. All properties within the Gateway Corridors Overlay District (GCOD, [17.420](#)) require conditional use approval for outdoor storage.

10. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **There are no significant changes proposed to the site. Further, any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**

The subject property falls within the Gateway Corridors Overlay District (GCOD, [17.420](#)) which provides supplemental design standards for non-residential property development.

Development Support and Constraints / Departmental Comments

Hall County Environmental Health

An email dated January 23, 2023 from Emily McGahee states “Must meet all Environmental Health commercial septic system permitting requirements. 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/modification may be required after review of business plan”

Hall County Fire Marshal

An email dated January 24, 2023 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant states, “The Hall County Fire Marshal’s Office has no comments regarding the storage building location as proposed.”

Hall County Public Works and Utilities

In a memo dated January 23, 2023 from Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

Engineering:

Stormwater will need to include all impervious that was added without a permit.

Traffic:

Need permit from GDOT for any driveway modifications.

Utilities

No comment.

Georgia Department of Transportation

In an email dated January 19, 2023, Parker Niebauer, D1TO Traffic Operations Supervisor, confirmed that this project will require GDOT coordination.

- **Excerpts from the minutes of the February 6, 2023 meeting**

Applicant’s Presentation:

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

Gerardo Vargas, 5016 Arthur Avenue, Oakwood, presented the request. The applicant stated that he is requesting to have outside storage since his cutting table takes up most of the space inside along with the granite that needs to be stored inside. The applicants stated he would like to build a canopy style shed.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Braswell questioned if storage outside the building would only be in the rear of the property. The applicant stated that was correct. Mr. Hunt questioned if the flooring in the outside storage area would be concrete or gravel. The applicant stated it would be gravel due to the budget. Mr. Hunt questioned if the applicant was going to utilize the same sign that was in the front of the building. The applicant stated he was going to change the name but use the same type of sign.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher.

Vote: 5-0

Conditions:

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