



Hall County Government

PLANNING & DEVELOPMENT

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

From: Randi Doveton, Director

Date: February 6, 2023

Subject: **4053 Cleveland Highway | Rezone** | from Agriculture-Residential-III (AR-III) to Suburban-Shopping (SS) to allow a grocery store, convenience store with gas & restaurant | **Reginald Crayton, P.E., applicant.**

The request before you is the rezoning 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 conditional use request accompanies this request but has separate memos.*** This item is located within Commission District 3.

At your January 12, 2023 you tabled this item so the applicant could revise their site plan to address concerns raised during the public hearing and from the Board of Commissioners. As of February 6, 2023, no revised site plan has been received. Multiple residents spoke in opposition to the rezoning at the January 12, 2023 meeting but no one spoke in opposition at the Planning Commission meeting on November 21, 2022.

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. It has been placed on this agenda as well. The items can be heard together but require two separate motions and votes. Denial of the rezoning automatically results in denial of the conditional use.**

There were no written comments submitted in advance of the Planning Commission meeting and no one spoke during the public forum.

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.

Please note that the BOC votes on the rezoning request on 1-12-2023. If the BOC denies the rezoning request, this request is null and will be removed from the 1-26-23 BOC agenda.