

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Masstar Signs / Craig Inabinett

**Request** ..... Amend conditions of Planned Commercial Development (PCD, [17.180.080](#))

**Proposed Use** ..... commercial signage

**Size** ..... 27.96± acres

**Zoning** ..... Planned Commercial Development (PCD, [17.180.080](#)) and Gateway Corridors Overlay District (GCOD, [17.420](#))

**Location** ..... **4260 Winder Highway** | Tax Parcel 15044B000006

**Commission District** ..... One

**Planning Commission Date** ..... September 5, 2023

**Staff Recommendation** ..... **Approval with conditions as the proposed use is consistent with the [Comprehensive Plan](#) future land use classification of Community Crossroad.**

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

**Conditions:**

1. Development is approved as generally shown on the concept plan and described in the project narrative modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.

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**Public Forum:**

*There were no comments in support or opposition.*

**Summary Analysis**

The applicant is requesting to amend conditions of the original Planned Commercial Development (PCD, [17.180.080](#)) to permit the installation of additional commercial signage on a 27.96± acre parcel. The property is developed with an Ingles grocery store and fueling center. The applicant is requesting an amendment to the

PCD standards to amend a master sign plan for the purpose of installing multiple signs on the property, with locations including the fuel center canopy and the storefront.

The property falls within the Gateway Corridors Overlay District, ([17.420.](#)) which provides supplemental design standards for non-residential property development, including signage ([17.420.60](#)). Specifically, the GCOD guidelines state that only one wall sign is permitted for each tenant of a building ([17.420.060](#)). The letter of intent proposes the addition of three (3) wall signs to be added to the property, as well as signage for the fuel center canopy, which is governed by the requirements of the sign code, [17.270.070](#). The proposed signage standards and the existing code requirements are detailed in the table below.

Sign Type	Code Requirement	Proposed Sign	Existing Signage
Fueling Station Canopy	<ul style="list-style-type: none"> <li>• One sign per canopy façade (per public street frontage) (<a href="#">17.270.070</a>)</li> <li>• Maximum sign area of 16 square feet (<a href="#">17.270.070</a>)</li> </ul>	<ul style="list-style-type: none"> <li>• One Canopy sign:                             <ul style="list-style-type: none"> <li>○ 3-price fuel price sign</li> <li>○ 3' x 13' / 39 square feet</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• One canopy sign:                             <ul style="list-style-type: none"> <li>○ Gas Express</li> <li>○ 3' x 23' / 69 square feet</li> </ul> </li> </ul>
Wall Sign	<ul style="list-style-type: none"> <li>• One wall sign or marquee sign shall be permitted for each building or for each tenant in a multi-tenant building. (<a href="#">17.420.60</a>)</li> <li>• Maximum sign area of 64 square feet per building, or one square foot per linear foot of storefront. (<a href="#">17.420.60</a>)                             <ul style="list-style-type: none"> <li>○ Storefront is 339 linear feet in length</li> </ul> </li> <li>• Internally illuminated signs, automatic changeable copy signs, and externally mounted neon signs are prohibited. (<a href="#">17.420.050(F)(4)(a)</a>)</li> </ul>	<ul style="list-style-type: none"> <li>• Wall Sign (logo):                             <ul style="list-style-type: none"> <li>○ Circular logo sign</li> <li>○ 5' x 5' / 19.63 square feet</li> <li>○ Internally illuminated</li> </ul> </li> <li>• Wall Sign (name):                             <ul style="list-style-type: none"> <li>○ Brand name</li> <li>○ 12'5" x 21'6" / 30.10 square feet</li> <li>○ Internally illuminated</li> </ul> </li> <li>• Total Sign Area:                             <ul style="list-style-type: none"> <li>○ 49.10 square feet</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Wall Sign:                             <ul style="list-style-type: none"> <li>○ Ingles name</li> <li>○ 9'4" x 27'6" / 256.58 square feet</li> </ul> </li> <li>• Wall Sign:                             <ul style="list-style-type: none"> <li>○ American Owned</li> <li>○ 3'6" x 12'0" / 42 square feet</li> </ul> </li> <li>• Wall Sign:                             <ul style="list-style-type: none"> <li>○ Fresh Foods</li> <li>○ 4'7" x 8'0" / 36.64 square feet</li> </ul> </li> <li>• Wall Sign:                             <ul style="list-style-type: none"> <li>○ Pharmacy</li> <li>○ 1'3" x 10'6" / 13.13 square feet</li> </ul> </li> <li>• Wall Sign:                             <ul style="list-style-type: none"> <li>○ RX Drive-Thru</li> <li>○ 3'4" x 9'2" / 30.54 square feet</li> </ul> </li> <li>• Total Sign Area:                             <ul style="list-style-type: none"> <li>○ 386.89 square feet</li> </ul> </li> </ul>

The requested amendment to the Planned Commercial Development would permit the addition of two (2) wall signs to the Ingles storefront for a total of 7 wall signs, with a combined sign area of 436.62 square feet, exceeding the maximum permitted per the sign standards by 97.62 square feet. Additionally, the application describes the proposed installation of a 3-price fuel price sign which is 39 square feet in area, for a total of 55 square feet of signage on the fuel station canopy. All of the proposed signs are internally illuminated, which is prohibited within GCOD.

This property has previously been approved for rezoning on two occasions; the first rezoning occurred on June 23, 2005 to Suburban Shopping (S-S, [17.140](#)) for a retail shopping center, then the property was rezoned again on December 8, 2005 to Planned Commercial Development (PCD, [17.180.080](#)) for the current development.

The property is subject to the following conditions of the PCD rezoning approval:

1. The development of the site shall occur as generally depicted on the concept plan and described in the project materials, modified as necessary for compliance with development standards in force at the time of site plan approval.
2. Final plans shall comply with the Corridor Development Standards or subsequently adopted standards, whichever are most stringent.
3. Coordination and approval from the Georgia Department of Transportation will be required for access, driveway configuration, turning lanes and acceleration/deceleration lanes onto the planned Winder Highway widening project. Cross-access shall be provided to adjoining commercial properties.
4. All conditions of zoning shall be made a part of any plat created for the property.

Additionally, two sign variances were granted in 2008 to permit an increase in the maximum sign height and sign area, as detailed below:

Sign 1 (Gas Express):

Vary height from 12 ft. to 14 ft.

Vary sign area from 96 sq. ft. to 104 sq. ft.

Sign 2 (Ingles):

Vary height from 12 ft. to 14 ft.

*(Proposed sign area of 94 sq. ft. does not require a variance)*

The following development standards are required for Planned Development (PCD, [17.180.080](#)) applications, some of which are unaddressed by the application materials:

1. The site plan shall indicate the proposed size, location and number of stories of each commercial structure. **The applicant has submitted scaled renderings of the proposed signs. Additionally, the site layout is not proposed to change.**
2. The entrances, exits and number and location of all parking spaces shall be shown in detail, together with all loading and no parking zones. **The existing site layout is not proposed to change, as such this standard is not applicable.**
3. The proposed methods and location of all buffers shall be described. **The existing site layout is not proposed to change, as such this standard is not applicable.**

4. The proposed exterior lighting shall be shown. **The existing site layout is not proposed to change, as such this standard is not applicable.**
5. All proposed signs, advertising or identification graphics shall be indicated, showing their number, size, height and location. **The purpose of the current request is to approve a master sign package for the addition of three (3) signs to the property.**
6. The type and number of uses proposed for the commercial development shall be indicated. **The proposed signage has been articulated in the Letter of Intent and in the submitted renderings.**
7. The development controls for the district shall be stated (lot coverage, setbacks, building heights, lot sizes, etc.). If standards are not specifically proposed, then the applicable standards in the suburban shopping district (S-S) shall apply. **The application proposes signage which deviates from the signage requirements of the Gateway Corridors Overlay District (GCOD, [17.420](#)).**
8. If residential uses are proposed in conjunction with the planned commercial development, then the applicable requirements of the planned residential development shall be provided. **There are no residential uses proposed in conjunction with this request.**

All other standards are either proposed to be met or will be required to demonstrate compliance during the permitting process.

**Based on the future land-use plan, staff finds the requested zoning designation *is consistent* with the Hall County [Comprehensive Plan](#). The [Comprehensive Plan's](#) future land use designation for the subject parcel is "Community Crossroad." The intent of this land use category is to maintain and create access to local goods and services at major intersections throughout the community. Future land uses include neighborhood commercial uses (smaller-scale retail and services serving nearby residents) and civic benefit uses including places of worship, parks, and community centers.**

### **Zoning Analysis**

When considering a zoning amendment to the zoning maps, the following items must be considered by Planning commission and the Hall County Commission pursuant to [17.380.060](#):

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed use is consistent with the adjacent commercial development of the surrounding area.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed use will adversely affect adjacent properties, but it is inconsistent with the vision established for the area as defined by the Gateway Corridors Overlay District standards.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **Yes, the property has economic use as currently zoned Planned Development Conditional (PCD, [17.180.080](#)). The site is developed with an Ingles grocery store but the proposed signage, as presented, could not be installed unless this amendment is approved.**

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, or utilities; **Staff does not find that the proposed development will cause an excessive or burdensome use of existing streets, transportation facilities, or utilities.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is consistent with the Comprehensive Plan and the “Community Crossroad” future land use designation. The Comprehensive Plan identifies “neighborhood commercial uses (smaller-scale retail and services serving nearby residents)” as appropriate future land uses in this area.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Absent a market study, staff is unable to determine whether property values are diminished by the existing zoning restrictions.**
7. 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.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The site has been developed as a grocery store and fueling station since 2007.**
10. 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; **Staff is not aware of any changing conditions that affect the use and development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The underlying zoning classification of Planned Commercial Development (PCD, [17.180](#)) has already been established on the subject parcel. The requested use is an amendment to the rezoning, which was approved, with conditions in 2005 to add three (3) signs to the subject property.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **In general, the use does not appear to be out of scale with the needs of the county as a whole.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **The proposed signage exceeds the maximum sign standards for commercial property within the Gateway Corridors Overlay District (GCOD, [17.420](#)). As the property is a Planned Commercial Development (PCD, [17.180.080](#)) the applicant is proposing unique signage standards through the adoption of a master sign plan for the development.**
15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **There is no proposed land disturbance activities in relation to the proposed use. The site is already developed and the signage will be added to existing structures.**

17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

**A Planned Commercial Development (PCD, [17.180.080](#))** allows for more flexibility in the design and development of the property. This provides for a mixture of lake supportive commercial uses and encourages maximum use of natural features through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area. **Based on the intended use and prior approvals, the requested use is appropriate.**

**[17.380.050](#) - Submission requirements for a rezoning request**

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
  - 1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **Proposal does provide a narrative outlining the intent of the change; however, the applicant has not prepared a response to each of the criteria listed in [17.380.060.C](#).**
  - 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **Proposal does meet the requirement and has submitted sign renderings as part of the application materials.**
- C. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **The proposed development does not propose the use of a slow rate land treatment system.**
- D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering

Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **Proposal does not trigger this requirement.**

**Development Support and Constraints**

**Hall County Environmental Health**

In an email dated August 3, 2023, Emily McGahee stated “No comment. Public sewer.”

**Hall County Fire Marshal**

In an email dated August 3, 2023 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated, “The Hall County Fire Marshal’s Office has no comments as proposed.”

**Hall County Public Works and Utilities**

In a memorandum from Public Works and Utilities dated August 3, 2023, Bill Nash, Director, stated the following:

**Engineering:**

No comment.

**Traffic:**

No comment.

**Utilities:**

No comment.

**Georgia Department of Transportation**

In an email dated August 1, 2023, Veronica Chavers, D1TO Civil Engineer 3, indicated coordination would not be required.

➤ **Excerpts from the minutes of the September 5, 2023 meeting**

**Applicant’s Presentation:**

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

**Preston Kendall, 15 W Vista Drive Candler, NC**, presented the request. The applicant stated that they completely remodeled the store and added a Starbucks. The applicant presented their proposed signage and stated they are still under 5% for front store signage.

**Public Forum:**

*There were no comments in support or opposition.*

**Planning Commission Comments:**

Mr. Braswell questioned if the signs were internally illuminated. The applicant stated that they are by LED.

***Motion:*** A motion to approve, with conditions was made by Mr. Sosebee and seconded by Ms. Pilcher.  
***Vote:*** 5-0

*Conditions:*

1. Development is approved as generally shown on the concept plan and described in the project narrative modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.