

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Double E Properties, LLC

Request **(A)** Rezone | from Agricultural Residential IV (AR-IV, [17.120](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) to Light Industrial (I-I, [17.160](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#))
(B) Variance | [17.420.050.C.2.c](#) to reduce the required transitional buffer from 50 feet to 25 feet from the left side and rear property lines

Proposed Use Self-storage facility

Size 9.39± acres

Zoning Current Agricultural Residential IV (AR-IV, [17.120](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) | Proposed Light Industrial (I-I, [17.160](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#))

Location **0 Cornelia Highway** | Tax Parcel 09030 000030

Commission District Three

Planning Commission Date February 5, 2024

Staff Recommendation **(A) Approval, with conditions**, as the proposed use and rezoning requests are consistent with surrounding development and business types; and **(B) Denial**, as no hardship exists pursuant to the criteria found in [2.60.030](#).

Planning Commission Recommendation.....**(A)** Approval, with conditions
Vote: 5-0
(B) Approval, with conditions
Vote: 5-0

(A) & (B) Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan submitted on December 19, 2023 and as described in the project narrative submitted on December 8, 2023 as well as the architectural renderings labeled as Exhibits A and B, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval. The area designated as "Potential Future Development" on the site plan is not approved as a function of this decision. Development of the area designated as "Potential Future Development" shall require a separate review and be subject to development standards in place at time of submittal.
2. Development shall conform to the standards set forth by the Gateway Corridors Overlay District (GCOD, 17.420), except as described in the conditions herein.
3. Final review and approval of building elevations is subject to the Director of Community Development and Infrastructure, or their designee.
4. Any proposed building shall be no greater than three (3) stories in height, in addition to one (1) basement level.
5. Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.
6. All conditions of zoning shall be made a part of any plat(s) or construction plans created for the property.
7. A 25 foot transitional buffer shall be required with a 6 foot opaque fence along tax parcel 09030 000029. A 25 foot buffer shall be required where the subject property is adjacent to agricultural-residential zoned property.
8. 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."
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"Owners, occupants and users of the property shown on this plat are hereby informed of the impacts associated with the existing commercial and industrial practices which take place on the adjacent and nearby properties that include, but are not limited to noise, odors, dust, and the operation of machinery and motor vehicles. The owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
10. Where storage buildings are located adjacent to drive aisles, parallel parking shall be provided and the drive aisles shall remain at least 26 feet wide.
11. A 6 foot high ornamental fence with brick or stone columns shall be installed along the right-of-way of Tribble Gap Road at the front entrance to the development.
12. Any chain-link security fence shall be vinyl coating, with the exception of the previously mentioned opaque fence.

Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan submitted on December 19, 2023 and as described in the project narrative submitted on December 8, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site

plan approval. The area designated as “potential future development” on the site plan is not approved as a function of this decision. Development of the area designated as “potential future development” shall require a separate and be subject to development standards in place at time of submittal.

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6. All conditions of zoning shall be made a part of any plat(s) or construction plans created for the property.

The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:

[17.420.050.C.2.c](#) Transitional Buffers – Width of Transitional Buffer

- Where an industrial zoning district abuts property zoned for residential or agricultural use, the minimum width shall be 50 feet.
 - Applicant requests relief from this requirement and has proposed a buffer width of 25 feet along the rear and left side property lines.

[17.420.050.D.1](#) Other Landscape and Screening Standards

- Building perimeter walls. Shrubs shall be planted within ten feet of the foundation of the primary structure along each building facade at the rate of at least 20 shrubs per 100 lineal feet of building facade except for sides or rear of building used for loading or service areas.
 - Applicant does not propose the planting of shrubs within ten feet of either of the two largest structures.

[17.420.050.G.1](#) Interparcel Access

- Interparcel access, joint driveways, cross access drives and access easements shall be strongly encouraged for adjacent non-residential development along an arterial or collector street, except where the director determines that they are unfeasible because of topographic or other site-specific constraints.
 - Applicant does not propose interparcel connection on the site plan or in the submitted narrative.

[17.420.050.H.1.c](#) Architectural Standards for Non-residential Buildings

- Non-residential buildings shall have at least 1,000 square feet of heated floor space.
 - Applicant has proposed a storage building measuring 800 square feet in area.

[17.420.050.H.2.a](#) Architectural Standards for Non-residential Buildings

- The use of a common palette of building materials should be maintained for all four sides of principal buildings to create a consistent and traditional architectural identity. For large commercial/retail buildings and multifamily buildings, variation in building materials, texture, and depth should be employed to provide design variation.
 - Applicant requests that only building sides which are visible from Cornelia Highway (State Route 365) adhere to this standard.
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Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting to **(A)** rezone 9.39± acres of property from Agricultural Residential IV (AR-IV, [17.120](#)) and Planned Commercial Development (PCD, [17.180.080](#)) to Light industrial (I-I, [17.160](#)) for the purpose of constructing a self-storage facility. Concurrent to this request, the applicant is requesting a **(B)** variance to reduce the required transitional buffer from 50 feet to 25 feet along the rear and left side property lines. The property is located within the Gateway Corridors Overlay District (GCOD, [17.420](#)), which provides additional standards for non-residential development. The subject property is currently undeveloped.

Per the submitted rezoning plan, the facility will consist of ten separate storage structures. The development will feature two three-story, 78,400 square-foot storage buildings. These two buildings will be equipped with basements and interior access to individual storage units. The remaining 15,600 square feet of storage space will be divided amongst eight exterior-access buildings, ranging from 800 square feet (Building H) to 5,200 square feet (Building A) in floor area. Non-residential property development standards within the Gateway Corridors Overlay District (GCOD, [17.420](#)) require all non-residential buildings contain no less than 1,000 square feet of heated floor space ([17.420.050\(H\)](#)). Building H does not meet this requirement. Architectural details have not been provided in the submittal; however, the applicant intends to meet GCOD standards.

The applicant's submittal denotes an area in the northeast of the subject area as "potential future development." However, no specific improvements to that area have been included in the application, and access is limited from both Tribble Gap Road and Cornelia Highway due to stream buffers in the area.

The rezoning plan shows a single access point to serve the development at Tribble Gap Road, along which the subject parcel has approximately 200 feet of frontage. The applicant also intends to construct a turnaround area located before the gated entrance for vehicles who cannot gain access through the gate. The drive-aisles within the facility, along with the access point, are proposed to be 26 feet wide.

As part of the submittal, the applicant has proposed an on-site septic system for handling waste. The system will serve restrooms in all buildings with more than one level, which will include buildings B and G, at a minimum. A septic area is proposed in the western part of the development, north of buildings G and H. A strategy to provide water to the development has not been specified, but a waterline is under construction within the GA-365 right-of-way, immediately adjacent to the subject property.

The submitted rezoning plan indicates the presence of two streams in the northeast of the subject parcel. Part of the proposed stormwater detention facility encroaches on the 75-foot impervious setback; however, all other development remains outside of the stream buffer.

The non-residential property development standards for the Gateway Corridors Overlay District (GCOD, [17.420](#)) require transitional buffers between dissimilar uses or activities. The applicant’s proposal to rezone the subject parcel to Light industrial (I-I, [17.160](#)) necessitates a 50-foot transitional buffer adjacent to parcels with residential uses ([17.420.050\(C\)\(2\)](#)). Parcels [09030 000029](#) and [09030 000023](#), which border the subject parcel to the northwest, are zoned Agricultural Residential IV (AR-IV, [17.120](#)). The applicant is requesting relief from the 50-foot buffer requirement, concurrent with their rezoning request, to reduce the required buffer widths from 50 feet to 25 feet.

Two (2) **variances** to the side and rear buffer requirements will be required if the site plan is approved as presented.

- Relief from 50-foot side and rear yard buffer requirement in [17.420.050\(C\)](#) for the Gateway Corridors Overlay District (GCOD, [17.420](#)).
 - The applicant is proposing a buffer of 25 feet along the rear and the left side property line.

GCOD Analysis

Standard	Compliance?	Proposed Work	Notes
17.420.050.C – Transitional buffers	Variance Requested	Installation of 25-foot buffers where adjacent to residential uses.	The applicant is requesting relief from the 50-foot buffer requirement to allow for 25-foot buffers along the rear and left side property lines.
17.420.050.D – Other landscape and screening standards	Deficient	Construction of storage buildings without perimeter shrubs.	The site plan shows several the storage buildings are surrounded by pavement on three or more sides, with no planting areas designated.
17.420.050.E – Parking lot design	Compliant	Construction of 17 parking spaces, at a rate of approximately 1 per 10,000 square foot of storage space.	The code requires 3.5 spaces for each 1,000 square feet of gross floor area. No specific standard is recommended for self-storage warehouses.
17.420.050.F – Outdoor lighting	Compliant	Installation of non-spill LED security lighting, per submitted narrative.	This standard will be verified at time of permitting.

17.420.050.G – Interparcel access	Deficient	None	Internal Parcel connection is not proposed on the site plan or in the submitted narrative.
17.420.050.H – Architectural standards for non-residential buildings	Deficient	Installation of an 800 square foot storage building (Building H).	All other buildings meet the 1,000 square foot floor space minimum. Building materials have not been specified, but applicant states they will be compliant with applicable standards.
17.420.060 – Signs	Compliant	Installation of code-compliant signage, per submitted narrative.	The quantity and location of said signage is unspecified.

Based on the future land-use plan, staff finds the requested zoning designation is ***not consistent*** with the Hall County [Comprehensive Plan](#) future land use designation of “Rural.” This land use category is characterized by very low-density single-family residences and agricultural uses. The intent of this character area is to preserve the existing rural character, which includes large-lot residences, agricultural uses, and natural and historic features. However, the subject site is located in the vicinity of several light industrial developments within the Rural land use area.

(A) Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered:

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 zoning proposal may be suitable given the context of the surrounding area, as there are other light industrial uses in the vicinity, including a self-storage facility. Proximity to Cornelia Highway (GA-365) facilitates ease of access to the site.**
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 light industrial use will adversely affect adjacent properties.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property appears to have reasonable economic use as currently zoned, Agricultural Residential IV (AR-IV, [17.120](#)) and Planned Commercial Development (PCD, [17.180.080](#)). Though the subject property is currently undeveloped, nearby properties similarly zoned are developed.**
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; **The zoning proposal will not result in an excessive or burdensome use of local transportation or utility infrastructure.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is not consistent with the Comprehensive Plan and the “Rural” land use designation. This land use area envisions very low-density residential and agricultural development. However, the**

subject property is located along the GA-365 corridor and is in the vicinity of commercial and industrial uses and zoning districts.

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions. The proposed development includes the removal of the existing wastewater treatment pond at the rear of the property.**
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. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
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; **According to property tax records, parcel [09030 000030](#) has not been developed.**
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 applicant has initiated a request to rezone the property to the Light industrial (I-I, [17.160](#)) district. The property across the street on the west side of Tribble Gap Road is likewise zoned Light Industrial.**
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; **As the population and density of greater Hall County increases, the need for more self-storage has increased.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are many other zoning districts within the county that support the development of a self-storage facility without the need for a rezoning request.**
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. The variance request concurrent with the rezoning request concerns the required transitional buffers.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Staff is unable to determine the extent to which ecological and pollution impacts may occur as a result of the applicant's request.**

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.**

(B) Zoning Analysis

The County Commission is authorized to grant concurrent 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 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); **The subject parcel is an irregular, elongated shape with several “pinch points” that are less than 120 feet in width.**
2. The application of the requirements of this [Title 17](#) to this particular piece of property would create an unusual hardship; **The application of Title 17 requirements would not create an unusual hardship; however, most development would be limited to one central area of the property where there is reasonable buildable area.**
3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **Several other parcels within the neighborhood also have irregular or stretched shapes.**
4. Such conditions are not the result of any actions of the property owner; **The property owner purchased the lot in 2004 in its current configuration.**
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. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#).**

17.380.050. - Submission requirements

- 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. **The proposal meets the requirement. The 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]. **The proposal provides a detailed narrative outlining the intent of the development; however, the applicant has not prepared as 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. **The proposal meets the requirement. The applicant has provided a site plan and included the necessary information to properly assess the development.**
- C. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This standard is not applicable, as the site development does not include 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. **This requirement is not applicable, as no residential development has been proposed.**

Development Support and Constraints

Hall County Environmental Health

In an email dated January 4, 2024, Emily McGahee stated “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 Marshal

In an email dated January 8, 2024, John Tucker, Deputy Fire Marshal, stated the following:

The Hall Country Fire Marshal’s Office considers the plan conceptual and if approved may require additional modifications during the development review process.

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated January 5, 2024, Bill Nash, Director, stated the following:

Engineering:

Show FEMA and Hall County studied Flood plains that are present on site.

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.

Traffic:

Driveway will need to meet county commercial standards.

Utilities:

City of Lula sewer district.

Georgia Department of Transportation

In an email dated January 5, 2024, Veronica Chavers, D1TO Civil Engineer III, did not indicate that GDOT coordination would be required for this request.

➤ **Excerpts from the minutes of the February 5, 2024 meeting**

Applicant's Presentation:

Beth Garmon, Planning and Zoning Administrator, presented a summary of the request.

James Irvin, 164 Professional Drive, Baldwin, presented the request. The applicant presented renderings of the development and stated that the buildings will be multistory. The applicant stated that a tree replacement plan will be required and provided before any land disturbance occurs. The applicant stated that there will not be a lot of traffic generated and there will not be many people on the property at the same time. The applicant stated that it will be secured with fencing and cameras.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Braswell questioned if there was going to be an office space and if so, in what building. The applicant stated that the operation would be manned by a phone application but there would be a business manager tending to the property on a regular basis. Mr. Hunt stated that the buffer along the chicken houses needs to stay at 50 feet. Ms. Pilcher agreed. Mr. Hunt questioned if there was a security fence around the property. The applicant stated that was correct. Mr. Hunt stated he would allow a 25 foot transitional buffer if the applicant adds an opaque fence. The applicant was in agreement.

9(A)

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0

Conditions:

1. The property shall be developed in accordance with the site plan submitted on December 19, 2023 and as described in the project narrative submitted on December 8, 2023 as well as the architectural renderings labeled as Exhibits A and B, modified as necessary for compliance with

conditions herein and development standards enforced at the time of site plan approval. The area designated as "Potential Future Development" on the site plan is not approved as a function of this decision. Development of the area designated as "Potential Future Development" shall require a separate review and be subject to development standards in place at time of submittal.

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9(B)

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0

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