

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Shadow Stone Partners, LLC

Request Rezone from Planned Residential Development (PRD, 7.180.060) to Planned Industrial Development (PID, 17.180.090)

Proposed Use Self-storage warehouse

Size 3.0± acres

Zoning Current: Planned Residential Development (PRD, 7.180.060) | Proposed: Planned Industrial Development (PRD, 17.180.090)

Location **1560 Pine Valley Road** | Tax parcel 09124 000039 (pt.)

Commission District Three

Planning Commission Date June 3, 2024

Staff Recommendation **Denial**, as the proposed use is not consistent with the surrounding zoning districts and the Comprehensive Plan.

Record Number HZON24-0016

Planning Commission Recommendation **Approval, with conditions**
Vote: 3-1 (Pilcher opposed, Sosebee absent)

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated March 28, 2024, and as described in the project narrative submitted on April 22, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The facility shall be limited to 72,000 square feet total and to three stories, including the basement.
3. No variances or development exceptions are granted as part of this request that are not explicitly granted by Board approval. The development shall be compliant with the Official

code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.

- 4. All conditions of zoning shall be made a part of any plats or construction plans created for the development.
- 5. The facility shall be designed in accordance with the submitted renderings dated March 28, 2024. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the building. Vinyl or metal siding is prohibited. Final design shall be approved by the Assistant Director of Planning and Development.
- 6. The frontage strip shall include masonry columns every 50 feet and decorative iron fence. All other fencing shall be black vinyl-coated chain link.
- 7. Normal office hours shall be 8:00am to 6:00pm. Access via a secure keypad for customers shall be limited to 5:00am to 11:00pm daily.
- 8. There shall be a 30 foot buffer along the boundary adjacent to parcel 09124 000042B with the first 20 feet along the property line being undisturbed and the remaining 10 feet being a planted evergreen buffer. Final review of the landscape plan shall be subject to the approval of the Assistant Director of Planning and Development or their designee.

Excerpts from the minutes of the June 17, 2024 meeting

Applicant’s Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Erin Moore, 3120 Frontage Road, Gainesville, presented the request. The applicant presented the updated information for the request which included an updated site plan showing a change from a 30-foot planted buffer to a 20-foot undisturbed buffer, photos from several vantage points to show the view of the subject property from surrounding residential property, and proposed elevations with measurements. The applicant stated that the front elevation of the building will be 42 feet including the basement and 21 feet in the rear for the first and second floor.

Public Forum:

Marion L. Meeks, 1239 Lakestone Court, Gainesville, spoke in opposition. Concerns were the proximity of the project to residential neighborhoods, the industrial zoning, and the presence of several storage facilities in the county. Further, Mr. Meeks stated that he is also concerned about needed road work, increased traffic, and the opening of Sandra Dunagan Deal Elementary School.

Sharon Booth, 3726 Shades Valley Lane, Gainesville, spoke in opposition. Concerns were the sparse layer of existing trees intended for the development’s buffer and the visibility of the proposed building from her home.

Rebuttal

The applicant stated the building will be complementary to the residences in the area. The applicant further stated that a storage facility will have one of the lowest impacts on traffic of uses that could be proposed for this site.

Planning Commission Comments:

Mr. Hunt questioned the distance from this requested development to the townhome development. The applicant stated she was not sure. Ms. Pilcher stated that, because the trees are all deciduous, the building will be visible in fall and winter months. The applicant agreed that the seasons will change the visibility but the trees will remain as a buffer. Mr. Hunt stated that a 10 foot strip of evergreen trees in addition to the 20 foot undisturbed buffer could be a solution. Mr. Hunt questioned if there will be road improvements at the intersection of White Sulphur Road and Pine Valley Road. The applicant stated the County will be doing the realignment of the road. Ms. Pilcher stated that she still believes the building will be out of place. Mr. Hunt questioned if signage on the building will have to go through a variance request. Ms. Garmon stated it would not since it is not in the Gateway Corridor Overlay District (GCOD). Mr. Hunt questioned if the four sides of the building will be brick. The applicant stated it would be a combination of brick and stucco. Mr. Braswell stated that in regards to Mr. Meeks’ comments about traffic, he would like for Traffic Engineering to put road signs on Pine Valley Road prohibiting trucks over six wheels.

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

Vote: 3-1 (Pilcher opposed, Sosebee absent)

Conditions:

1. The property shall be developed in accordance with the site plan dated March 28, 2024, and as described in the project narrative submitted on April 22, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The facility shall be limited to 72,000 square feet total and to three stories, including the basement.
3. No variances or development exceptions are granted as part of this request that are not explicitly granted by Board approval. The development shall be compliant with the Official code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the development.
5. The facility shall be designed in accordance with the submitted renderings dated March 28, 2024. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the building. Vinyl or metal siding is prohibited. Final design shall be approved by the Assistant Director of Planning and Development.
6. The frontage strip shall include masonry columns every 50 feet and decorative iron fence. All other fencing shall be black vinyl-coated chain link.
7. Normal office hours shall be 8:00am to 6:00pm. Access via a secure keypad for customers shall be limited to 5:00am to 11:00pm daily.

- 8. There shall be a 30 foot buffer along the boundary adjacent to parcel 09124 000042B with the first 20 feet along the property line being undisturbed and the remaining 10 feet being a planted evergreen buffer. Final review of the landscape plan shall be subject to the approval of the Assistant Director of Planning and Development or their designee.

Excerpts from the minutes of the June 3, 2024 meeting

Applicant’s Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Erin Moore, 3120 Frontage Road, Gainesville, presented the request. The applicant stated that after additional surveying and design work, the project ended up with an extra acre of land resulting in three unused acres. She states that instead of having it maintained by the HOA, the developer would like to construct a self-storage facility.

Public Forum:

Crystal Phillips, 3774 Shades Valley Lane, Gainesville, spoke in opposition. Concerns were safety, crime, negative impacts to her home value, increased traffic, and depletion of wildlife, overpopulation, and rodents from the development.

Linda Edmonds, 2051 Crow Road, Gainesville, spoke in opposition. Concerns were increased traffic on a small road, storage too close to surrounding residential area, and negative impacts to the residential character of the area.

Richard Ashley, 3766 Shades Valley Lane, Gainesville, spoke in opposition. Concerns were proximity of a warehouse building to the existing residents. He presented 23 signatures in opposition to the warehouse.

Betty Stevens, 2005 White Sulphur Road, Gainesville, spoke in opposition. Ms. Stevens represented Faith Baptist Church which opposes the development. Concerns were increased traffic from the storage facility as well as notice signs having been inadequately maintained on the property.

Rebuttal

The applicant stated that a storage facility is one of the lowest impacts to traffic. Furthermore, the applicant states that they do not expect the development to bring crime and that they are in compliance with the required buffers to shield the visibility to neighboring residential areas. The applicant stated that the notice signs were posted in the timeframe and in the locations as requested by Planning staff.

Planning Commission Comments:

Mr. Braswell questioned if the building would only be for climate control storage with no roll-up doors. The applicant stated that was correct. Mr. Varner questioned why the building was 3 stories tall. The applicant stated that it would be two stories with a basement, as dictated by the topography. Mr. Hunt questioned the fence height for the property. The applicant stated they will comply with any conditions proposed or zoning regulations. Mr. Braswell and Mr. Hunt questioned the signage for the building. Ms.

Greenway stated any proposed signage would only be brought in front of the Planning Commission if the applicant does not intend to meet the standard signage requirements of the county code. Ms. Pilcher questioned the proposed maximum height of the building and stated that the residents on Shades Valley Lane will get the full view of the three stories even with a fence and planted buffer. Mr. Varner stated that Pine Valley Road is over-utilized and the residents are not being presented all of the information needed. Mr. Braswell stated that there are a lot of unanswered questions that might need some additional time for design work. Mr. Hunt requested the height of the tallest point of the building as well as the existing tree height and coverage.

Keith Cook, 3120 Frontage Road, Gainesville, presented the request. Mr. Cook stated that he has no issues with providing additional information regarding visibility of the proposed building from the view of the adjacent residential areas.

Motion: A motion to table to June 17, 2024 was made by Mr. Hunt and seconded by Mr. Sosebee.
Vote: 5-0

Staff recommends DENIAL of the applicant’s request. However, if the Planning Commission see fit to approve this application, staff recommends the following conditions:

1. The property shall be developed in accordance with the site plan dated March 28, 2024, and as described in the project narrative submitted on April 22, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The facility shall be limited to 72,000 square feet total and to three stories, including the basement.
3. No variances or development exceptions are granted as part of this request that are not explicitly granted by Board approval. The development shall be compliant with the Official code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

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:

- 17.260.020.B.Vegetation buffers and vision clearance
 3. Where an industrial use with no outside activity abuts residential use, the minimum buffer shall be 30 feet.
 - The applicant is proposing a 25 foot buffer where the subject property adjoins neighboring residentially-zoned property. This is a reduction of 5 feet from the standard.
 - The applicant also proposes a 25 foot transitional buffer on the west side of Pine Valley Road in order to provide additional screening of the development.

Summary Analysis

The applicant is requesting to rezone a 3.0± acre property zoned Planned Residential Development (PRD, 17.120) to Planned Industrial Development (PID, 17.180.090) for the purpose of developing a climate-controlled self-storage warehouse. The property is currently part of a previously approved Planned Residential Development (PRD, 17.180.060) consisting of 34.03± acres. The same applicant has also submitted a concurrent application to amend the conditions of zoning of the original PRD zoning action; part of this request includes the elimination of this 3.0± acres from the PRD development (see concurrent application HZCU24-0020.)

The subject property was rezoned from Agricultural Residential-III (AR-III, 17.110) to Planned Residential Development (PRD, 17.180.060) on January 27, 2022, for a 148-unit townhome development with the following 5 conditions:

1. The development shall be developed in accordance with 17.180.060, Planned Residential Development. The following variances shall apply:
 - a. The minimum lot size shall be 2,500 square feet.
 - b. The minimum lot width shall be 28’.
 - c. A minimum 50’ planted buffer shall be established along the perimeter of the property boundaries, per PRD standards.
 - d. Allow a maximum garage door width of 60% of facade.
 - e. Allow a front setback of 22’ from curve to garage.
2. The density of the development shall be no more than 148 units.
3. The applicant shall coordinate with Hall County Public Works and the Georgia Department of Transportation regarding any road improvements required as part of the traffic study or are determined as part of the development review process.
 - a. The development shall be limited to one access on Pine Valley Road at the northern most location as shown on the site plan.
 - b. Left and right turn lanes shall be installed on Pine Valley Road to access the development. A left turn lane shall be installed for the driveway opposite from the development.
 - c. Left and right turn lanes shall be installed on Pine Valley Road at White Sulfur Road.
 - d. Left turn lane shall be installed on White Sulfur Road to access Pine Valley Road.
 - e. Internal roadways of the development shall meet Hall County Standards.
 - f. The developer shall coordinate and permit any White Sulfur Road improvements with the City of Gainesville.
 - g. The developer shall bear all costs associated with any roadway and/or traffic related improvements.
4. All conditions of zoning shall be made part of any plats created for the development.
5. The following language shall be placed upon the Final Plat of the development as defined by section 17.20.830 of the Hall County Code of Ordinances, and it will read, “Owners and users of this property are informed of agricultural and industrial uses nearby and should expect noise, smell, and other associated with such uses.”

If the application for rezoning to PID is approved, these conditions will no longer apply to the subject 3.0± acre parcel and may be replaced by new conditions.

The surrounding properties to the north, east and west are developed with a mixture of both attached and detached residences. The property to the south is currently vacant; however, this tract was approved by the county commission on January 22, 2022 for the development of 148 townhome residences.

Per the submitted narrative and site plan, the development will consist of a two-story climate-controlled self-storage warehouse with basement; the building is approximately 160 feet by 150 feet with an aggregate square footage of approximately 72,000. Concept elevations show architectural materials consisting of a combination of stone and cement siding. The site plan shows a stormwater management area on the northwest portion of the property and a 25 foot landscape buffer along the west and south perimeters and a 25 foot landscape strip along Pine Valley Road. Per 17.260.020.B.3, where an industrial use with no outside activity abuts residential use, the minimum buffer shall be 30 feet. The proposed buffer would require the granting of a 5 foot variance by the board.

Access to the development is shown at the northeast corner of the development. The concept plan shows ten parking spaces. The narrative states that sign standards will be met; no master sign plan has been submitted as part of this request. The narrative also states that lighting for the development will be LED and non-spill. Sewer and water will be provided by the City of Gainesville.

Based on the future land use plan, staff finds the requested zoning designation *is inconsistent* with the Hall County Comprehensive Plan future land use designation of “Lake Area Residential.” The intent of the Lake Area Residential land use category is to preserve established neighborhoods and create opportunities for permanent and vacation residences similar in land use patterns to Residential Areas, but at lower residential densities. Future development will continue to be detached, single-family homes at low densities.

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 applicant states that the abundance of multi-family development in the area would support the need for a self-storage facility as proposed.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the Planned Industrial Development (PID) with the specific self-storage 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.**
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; **No traffic study was submitted as part of this request.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is inconsistent with the Comprehensive Plan and the “Lake Area Residential” land use designation.**

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.**
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; **The parcel is currently undeveloped.**
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; **The ongoing growth of residential development in this area may support the need for the proposed self-storage warehouse use.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning is a Planned Industrial Development (PID, 17.180.090). Per the Official Code of Hall County, Planned Development Districts (17.180) are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. The proposed intensity of use is higher than that found on most surrounding properties.**
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; **The proposal is not 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; **There are other properties within the County that support industrial uses based on the Future Land Use Map, though the development as proposed cannot be developed in any districts without County Commission approval.**
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; **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.

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 Industrial Development (PID, 17.180.090) allows for more flexibility in the design and development of the property and should consist of land which has been designated for a planned, organized and controlled industrial use or for multiple but compatible industrial uses in a planned industrial park. The standards employed should be designed to encourage the formation and continuance of a compatible environment for the planned industrial uses and the surrounding land uses. Carefully planned office and commercial uses may be incorporated as part of a planned industrial development.

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. **The proposal meets the requirement, and the applicant 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 does provide a narrative outlining the intent of the request; 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. **The proposal meets this requirement.**

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 to the applicant’s request.**

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 standard is not applicable to the applicant’s request.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health

In an email dated April 30, 2024, Emily McGahee stated “Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.”

Hall County Fire Marshal

In an email dated May 1, 2024, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated, “The Hall County Fire Marshal’s Office considers the plan conceptual in nature, and if approved may require modifications during the development review process.”

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated May 2, 2024, Bill Nash, Director, stated the following:

Engineering:

No comment.

Traffic:

No comment.

Utilities:

City of Gainesville sewer system territory. Existing sewer system is to the south on the larger leftover portion of the site. The proposed storage building is lower in elevation than the existing sewer system. Additionally, an easement from the lower portion would need to be graded to the subject outparcel to access the sewer system.

Hall County Tax Assessor

No comments

Georgia Department of Transportation

In an email dated May 2, 2024, Veronica Chavers, D1TO Civil Engineer 3, stated that GDOT coordination is not required.