



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE PLANNING AND ZONING

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To: David Gibbs, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: March 19, 2025

Subject: **5709 McEver Road | Rezone |** from Agricultural Residential 1 (AR-1) to Planned Commercial Development (PCD) | on a 6.38± acre tract | Zoned AR-1: Tax Parcels 08111 003005 | **Proposed Use: Commercial development | Mustaq Moosa, applicant**

The request before you is for Mustaq Moosa to rezone from Agriculture Residential 1 (AR-1) to Planned Commercial Development (PCD) for a Commercial Development. This item is located within Commission District 2

At their March 17, 2025 meeting, the Hall County Planning Commission voted to recommend **approval with eleven (11) conditions (5-0).**

Staff recommendation: **Approval**, with conditions, as the proposed use is consistent with the future land use designation of “Business Nodes and Corridors” in the Comprehensive Plan.

Public Comment:

- March 17, 2025 HCPC: There were **no comments submitted** in advance of the meeting. The public hearing was closed at the previous meeting on February 17 and remained closed at the March 17 meeting.
- February 17, 2025 HCPC: **One (1) comment** was submitted in advance of the meeting and **one person spoke in opposition** during the public hearing.
- January 21, 2025 HCPC: There were **no comments were submitted** in advance of the meeting. The applicant requested to table, and a public hearing was not held.

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated February 25, 2025, and as described in the project narrative dated November 25, 2024, and other application documents, modified as

necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. Access to the development shall be approved by Hall County Engineering. Any costs associated with these improvements shall be the responsibility of the developer.
3. Building elevations shall substantially conform to the submitted renderings. Final review and approval of building elevations and materials is subject to the Director of Planning and Zoning or their designee.
4. 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 Unified Development 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. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.
5. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
6. Prior to the issuance of any building permits, a transitional buffer as defined in the Unified Development Code shall be installed and maintained along the perimeter of the development (both Phases 1 and 2 combined) as shown on the site plan.
7. The car wash and self-storage uses, identified as special uses within the Gateway Corridor Overlay District, are approved as part of this development.
8. The wall mural as proposed in the application documents is approved as part of the development. Final review and approval shall be subject to the Director of Planning and Zoning, or their designee.
9. Prior to the issuance of any sign permits, the developer shall submit a master design package for all signage to be reviewed and approved by the Director of Planning and Zoning, or their designee.
10. No parking spaces shall be designated immediately adjacent to the rights-of-way of McEver Road and/or Lights Ferry Road. The number of required parking spaces for each use may be reduced to accommodate this requirement subject to the final review and approval of the Director of Planning and Zoning, or their designee.
11. The hours of operation shall be as follows:
 - a. Car wash: 6:00am to 9:00pm
 - b. Convenience store, restaurant, and retail: 5:00am to 11:00pm
 - c. Self-storage facility: 5:00am to 12:00am