

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Benderson Development c/o Todd Mathes

**Request** ..... **Special Use** | Amend Conditions of Zoning

**Proposed Use** ..... Master Sign Plan

**Size** ..... 14.28± acres

**Zoning** ..... Planned Commercial Development (PCD)

**Location** ..... **3754 Price Road & 3715 Wahoo Falls Trace** |  
Tax Parcels 10100 000156C & 000156B

**Commission District** ..... Two

**Planning Commission Date** ..... March 17, 2025

**Staff Recommendation** ..... **Denial**, as the proposed amendments to the  
Master Sign Plan are not consistent with Section  
8.6. in the Unified Development Code

**Record Number**.....HZCU25-0002

**Planning Commission Recommendation**.....**Approval, with conditions**

**Vote: 4-0 (Davidson absent)**

**Planning Commission Conditions:**

1. Wall signage shall be developed in accordance with the Supplemental Application Packet dated March 21, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The previously approved conditions dated December 14, 2023, as amended and listed below, shall apply:
  - a. The total building square footage for the proposed development shall be limited to a maximum of 85,000 square feet.
  - b. Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.
  - c. Any necessary access modifications shall be approved and permitted by the Georgia Department of Transportation (GDOT). All costs associated with any required improvements shall be the developer's responsibility.

- d. Building height shall be limited to 3-stories/45 feet.
  - e. No outdoor storage shall be allowed for any use, with the exception of the grocery store and associated displays of seasonal items along the front entrance of the store.
  - f. The following uses shall require a conditional use permit:
    - 1. Full-service car wash. Car washes associated with a gas station shall be permitted.
    - 2. Self-storage facilities.
  - g. The following uses shall not be permitted:
    - 1. Tire sales
    - 2. Automobile repair
    - 3. Maintenance businesses, with the exception of an autoparts and quick oil change services, which shall be allowed by right.
  - h. The applicant shall submit architectural renderings, including building materials and colors, to be approved by the Planning Director, or their designee, prior to any issuance of any building permits.
  - i. All conditions of zoning shall be made part of any new plat created for the property.
  - j. The development shall adhere to the Hall County Erosion Control Ordinance Best Management Practices for Large Developments, which included the 3 BMPs from the County-approved list, even if the phase of development is less than 20 acres.
  - k. Hall County supports a traffic signal on Thompson Bridge Road provided the signal is permitted and approved by GDOT and paid for by the developers.
  - l. Monument signs placed within the median of any public or private street shall be constructed of a breakaway material, subject to review and approval of the Hall County Traffic Engineer. Signs located within the right-of-way of state routes shall be subject to GDOT regulations and permitting requirements.
3. Window signage shall comply with the Unified Development Code (UDC).
4. No variances to Gateway Corridor Overlay District (GCOD) standards and no additional variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Hall County UDC, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.
5. Only tenants located on a corner, in an end cap space, or in a freestanding building shall be permitted a second wall sign. In the event that a second wall sign is warranted as noted above, said second wall sign may be installed on a secondary elevation of the building (regardless of whether or not that side of the building includes a primary or secondary entrance).

6. All conditions of zoning shall be made a part of the plat or construction drawing created for the property.

**Excerpts from the minutes of the April 21, 2025 meeting**

**Applicant's Presentation:**

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

**Todd Mathes, 7978 Copper Creek Boulevard, University Park, Florida**, presented the request using a PowerPoint presentation. The applicant is requesting to amend conditions of zoning on a combined 14.82± acre tract zoned Planned Commercial Development (PCD) within the Gateway Corridor Overlay District (GCOD) to modify the Master Sign Plan approved on December 9, 2021, (ZON2021-00094) and as amended on December 14, 2023 (HZCU23-0051). The subject property was part of a larger rezoning approved on January 24, 2013 (ZON2012-00036) to rezone from Planned Commercial Development (PCD) to Planned Residential Development (PRD) and to rezone from Residential-I (R-I), Residential-II (R-II) and Agricultural Residential-III (AR-III) to Planned Commercial Development (PCD) for a mixed-use development on a combined 83 acre site.

**Public Forum:**

*There were no comments in support or opposition.*

**Planning Commission Comments:**

Mr. Braswell asked when the Publix and other shops plan to open. The applicant stated the Publix is set to open May 28, 2025, the other shops will begin to open following that date, and the outparcels were expected to begin development following the decisions made at this Planning Commission meeting. Mr. Braswell asked the applicant to clarify which signs and how many would be on the end caps. The applicant stated that one sign would be placed on the endcap and would be only for the business occupying that space.

**Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 4-0 (Davidson absent)**

Conditions:

1. Wall signage shall be developed in accordance with the Supplemental Application Packet dated March 21, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The previously approved conditions dated December 14, 2023, as amended and listed below, shall apply:
  - a. The total building square footage for the proposed development shall be limited to a maximum of 85,000 square feet.

- b. Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.
  - c. Any necessary access modifications shall be approved and permitted by the Georgia Department of Transportation (GDOT). All costs associated with any required improvements shall be the developer's responsibility.
  - d. Building height shall be limited to 3-stories/45 feet.
  - e. No outdoor storage shall be allowed for any use, with the exception of the grocery store and associated displays of seasonal items along the front entrance of the store.
  - f. The following uses shall require a conditional use permit:
    - 1. Full-service car wash. Car washes associated with a gas station shall be permitted.
    - 2. Self-storage facilities.
  - g. The following uses shall not be permitted:
    - 1. Tire sales
    - 2. Automobile repair
    - 3. Maintenance businesses, with the exception of an autoparts and quick oil change services, which shall be allowed by right.
  - h. The applicant shall submit architectural renderings, including building materials and colors, to be approved by the Planning Director, or their designee, prior to any issuance of any building permits.
  - i. All conditions of zoning shall be made part of any new plat created for the property.
  - j. The development shall adhere to the Hall County Erosion Control Ordinance Best Management Practices for Large Developments, which included the 3 BMPs from the County-approved list, even if the phase of development is less than 20 acres.
  - k. Hall County supports a traffic signal on Thompson Bridge Road provided the signal is permitted and approved by GDOT and paid for by the developers.
  - l. Monument signs placed within the median of any public or private street shall be constructed of a breakaway material, subject to review and approval of the Hall County Traffic Engineer. Signs located within the right-of-way of state routes shall be subject to GDOT regulations and permitting requirements.
3. Window signage shall comply with the Unified Development Code (UDC).
4. No variances to Gateway Corridor Overlay District (GCOD) standards and no additional variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Hall County UDC, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

5. Only tenants located on a corner, in an end cap space, or in a freestanding building shall be permitted a second wall sign. In the event that a second wall sign is warranted as noted above, said second wall sign may be installed on a secondary elevation of the building (regardless of whether or not that side of the building includes a primary or secondary entrance).
6. All conditions of zoning shall be made a part of the plat or construction drawing created for the property.

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### **Memo to Planning Commissioners**

Dear Planning Commission,

At the March 17, 2025 Planning Commission meeting, the applicants for 3754 Price Road & 3715 Wahoo Falls Trace, for a special use to amend conditions of zoning, requested to table their application to April 21, 2025 in order to provide further justification for the requested signs variance.

The following items were provided to staff on March 24, 2025:

1. Supplemental narrative
2. Elevations of the existing Publix grocery store
3. Renderings of signs per current zoning approval
4. Aerial imagery of the subject property with labeled outparcels
5. Renderings of the building signage as proposed in this variance request
6. Aerial imagery comparison to Thompson Bridge Commons (nearby Kroger shopping center)
7. Sign examples of existing tenants located in Thompson Bridge Commons

These documents can be found in the application packet labeled as "Supplemental Application Packet dated March 21, 2025."

Per the supplemental narrative, the provided documents have been submitted to justify a hardship for this variance request.

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### **Excerpts from the minutes of the March 17, 2025 meeting**

#### **Applicant's Presentation:**

Katie Greenway, Planning and Zoning Administrator, stated the applicant requested to table the request to April 21, 2025.

**Motion: A motion to table to Monday, April 21, 2025 was made by Frank Sosebee and seconded by Shannon Davidson. Vote: 5-0**

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**Staff recommends DENIAL of the applicant's request. However, if the Planning Commission chooses to approve this request, staff recommends the following conditions:**

1. Wall signage shall be developed in accordance with the submitted Sign Design Guidelines dated January 14, 2025, and as described in the narrative dated January 17, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The previously approved conditions dated December 14, 2023, as amended, shall apply.
3. Monument signs placed within the median of any public or private street shall be constructed of a breakaway material, subject to review and approval of the Traffic Engineer. Signs located within the right-of-way of state routes shall be subject to GDOT regulations and permitting requirements.
4. Window signage shall comply with the Unified Development Code (UDC).
5. No variances to Gateway Corridor Overlay District (GCOD) standards and no additional variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Hall County UDC, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.
6. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

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**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:**

1. **Section 8.6.10.C – Wall Signs, Number of Signs** – One awning sign, or one canopy sign, or one wall sign, or one projecting sign is allowed per establishment along the side of the establishment that includes its public entrance. One additional awning sign, or one additional canopy, or one additional wall sign, or one additional projecting sign is allowed along each facade adjacent to a public right of way.
  - The currently approved Master Sign Plan states “secondary tenants (i.e. Tenants of less than 40,000SF) are permitted one (1) internally illuminated wall sign or internally illuminated marquee sign for each building or leased premises, provided however, that Tenants located on a corner or end-cap space, or in a freestanding building, shall be permitted a second wall sign. In the event that a second sign is warranted as noted above, said second wall signs may be installed on a secondary elevation of the building (regardless of whether or not that side of the building includes a primary or secondary entrance.)”
    - The applicant proposes that tenants shall be allowed to install signage on all building facades, with a maximum of six signs per building.

2. **Section 8.6.10.D – Wall Signs, Sign Area** – The maximum area is 64 square feet per building, or one square foot per linear foot of storefront, whichever is greater. A tenant with less than 16 linear feet of storefront is allowed one sign not exceeding 16 square feet in area.
  - The currently approved Master Sign Plan (HZCU23-0051) states: “The maximum sign area for each user or leased premises shall be 100 square feet, or one square foot per linear foot of primary storefront building elevation, whichever is greater.”
    - The applicant proposes the following language: “The maximum sign area for each exterior elevation of the leased premises shall be 200 square feet, or two square feet per linear foot of primary store front building elevation, whichever is greater.”

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### **Summary Analysis**

The applicant is requesting to amend conditions of zoning on a combined 14.82± acre tract zoned Planned Commercial Development (PCD) within the Gateway Corridor Overlay District (GCOD) to modify the Master Sign Plan approved on December 9, 2021, (ZON2021-00094) and as amended on December 14, 2023 (HZCU23-0051).

The subject property was part of a larger rezoning approved on January 24, 2013 (ZON2012-00036) to rezone from Planned Commercial Development (PCD) to Planned Residential Development (PRD) and to rezone from Residential-I (R-I), Residential-II (R-II) and Agricultural Residential-III (AR-III) to Planned Commercial Development (PCD) for a mixed-use development on a combined 83 acre site. On December 9, 2021, the Board of Commissioners approved an amendment to conditions for the subject 14.82± acre Planned Commercial Development (PCD), which included the reconfiguration of the commercial development as well as a Master Sign Plan. On December 14, 2023, the Board of Commissioners approved an amendment to the Master Sign Plan, which addressed freestanding signs for the overall development and wall signage for the Publix grocery store, subject to the following conditions:

1. The amended master sign plan is approved, as presented in the application documents, and shall be subject to the conditions of zoning approved by the Hall County Commission on December 9, 2021:
  - a. The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval. This includes architectural standards and sign standards as presented in the Master Sign Development Plan.
  - b. The proposed development standards, master sign development plan and narrative are approved. Any development standards that are not addressed in the applicants project narrative or Master Sign Development Plan shall be governed by the standards set forth by the Official Code of Hall County.
  - c. The total building square footage for the proposed development shall be limited to a maximum of 85,000 square feet.
  - d. Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.
  - e. Any necessary access modifications must be approved and permitted by the Georgia Department of Transportation (GDOT). All costs associated with any required improvements shall be the developer’s responsibility.
  - f. Building height shall be limited to 3-stories/45 feet.

- g. No outdoor storage shall be allowed for any use, with the exception of the grocery store and associated display of seasonal items along the front entrance of the store.
  - h. The following uses shall require a conditional use permit:
    - i. Full service car wash. Car washes associated with a gas station shall be permitted.
    - ii. Self-storage facilities.
  - i. The following uses shall not be permitted:
    - i. Tire sales, automobile repair and maintenance businesses with the exception of an autoparts and quick oil change services, which shall be allowed by right.
  - j. The applicant shall submit architectural renderings, including building materials and colors, to be approved by the Planning Director prior to any issuance of any building permits.
  - k. All conditions of zoning shall be made part of any new plat created for the property.
  - l. The development shall adhere to the Hall County Erosion Control Ordinance Best Management Practices for Large Developments, which included the 3 BMPs from the County-approved list, even if the phase of development is less than 20 acres.
  - m. Hall County supports a traffic signal on Thompson Bridge Road provided the signal is permitted and approved by GDOT, and paid for by the developers.
2. Monument signs placed within the median of any public or private street shall be constructed of a breakaway material, subject to review and approval of the Traffic Engineer. Signs located within the right-of-way of state routes shall be subject to GDOT regulations and permitting requirements.

Per the submitted site plan within the architectural renderings document (page 8), proposed sign locations are on all four sides of the four outparcel buildings and on three sides of the grocery store building. The plan excludes the rear elevation of the grocery store.

According to the submitted narrative, the applicant states that the proposed amendment is intended to allow appropriate building signage on each visible façade of the outparcel single-tenant and multi-tenant buildings. They state that this is necessary due to the multiple entrances and the interconnected layout of the campus buildings. The narrative maintains that the increased signage will improve visibility and support customer wayfinding.

The submitted elevations provide a visual representation of the difference in sign sizes by illustrating 1 square foot per linear foot compared to 2 square feet per linear foot of building elevation, as well as examples of this sign ratio standard used in a similar development. Additionally, general sign design guidelines are provided on page 5, labeled “Proposed Signage Criteria” and comply with the Unified Development Code (UDC) with the exception of the section regarding “Window Graphics”. The UDC (8.6.4.H.1) states “window signs may not exceed 25% of the area of the individual window they are located in.” The applicant states “windows graphics may be used subject to Landlord approval” without specifying any size limitation.

### **Zoning Analysis**

When considering a zoning amendment to the zoning maps, the Planning Commission must study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry must be considered:



- a) Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The commercial uses associated with the Master Sign Plan amendment request are consistent with the future land use designation of Regional Activity Node and Corridor; however, the proposed amendment to the sign package to allow an increase in wall sign area is not supported by a hardship.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the proposed amendments to the Master Sign Plan will adversely affect adjacent or nearby property, but they are inconsistent with the maximum allowances established by the UDC (8.6.1, Signs) and is not supported by a hardship.**
- c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned and under its development approvals, but approval by the Board of Commissioners is required to amend conditions of the previously approved Master Sign Plan.**
- d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service; **The proposed amendments to the Master Sign Plan will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service.**
- e) Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The commercial uses associated with the Master Sign Plan amendment request are consistent with the future land use designation of Regional Activity Node and Corridor, however, the proposed amendments to the Master Sign Plan are inconsistent with maximum allowances established by the UDC (8.6.1, Signs ) and is not supported by a hardship.**
- f) 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 affected by the existing zoning restrictions.**
- g) 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 values 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.**
- h) 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 zoned or under its development approvals.**
- i) 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; **A land development permit (HDEV23-**

**0040) was issued for the property on January 23, 2024, and the subject properties currently have active permits for construction.**

- j) 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 affecting the use or development of the property.**
- k) Whether the change would create an isolated district unrelated to the surrounding districts; **As the property is already zoned Planned Commercial Development (PCD) within a Regional Activity Node and Corridor, the request to amend conditions of the Master Sign Plan would not create an isolated district unrelated to the surrounding districts.**
- l) 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.**
- m) Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed amendments to wall signage in the Master Sign Plan are not consistent with the maximum allowances established by the UDC (Section 8.6. Signs).**
- n) 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 identified in the UDC (Section 8.6). As the property is a Planned Commercial Development (PCD), the applicant is proposing their own signage standards through the amendment of a previously approved Master Sign Plan.**
- o) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request to amend conditions could not be handled alternatively as a variance.**
- p) 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 are no anticipated ecological or pollution impacts resulting from any modification to the land if the request is granted.**
- q) 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.**

#### **11.2.6.E - Submission requirements**

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must 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.**

2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:
  - a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **The proposal provides a narrative outlining the intent of the development; however, the applicant has not prepared a response to each of the criteria listed in 11.2.6.E.2.**
  - b. 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 may evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal meets the requirement.**
  - c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, 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 must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission. **This standard is not applicable to the applicant's request.**

#### **Development Support and Constraints**

##### **Hall County Environmental Health**

In an email dated February 12, 2025, Emily McGahee stated "No comment. Public Sewer."

##### **Hall County Fire Marshal**

In an email dated February 7, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, provided the following comment:

"The Hall County Fire Marshal's Office has no comments as proposed."

##### **Hall County Public Works and Utilities**

In a memo dated February 13, 2025, Bill Nash, Director of Public Works and Utilities, provided the following comments:

##### **Engineering:**

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.

Existing detention pond where restaurant is proposed.

**Traffic:**

No comment

**Utilities:**

Gainesville Sewer

**Georgia Department of Transportation**

In an email dated February 6, 2025, Henry Stevens, GDOT Civil Engineer 2, stated that GDOT coordination is required.