

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Thomas L. Elliott III

Request **Special Use** | Amend conditions of zoning

Proposed Use Outdoor storage and expansion of services

Size 11.10± acres

Zoning Planned Commercial Development (PCD)

Location **3625 McEver Road** | Tax Parcels 08032 000006

Commission District Four

Planning Commission Date May 19, 2025
April 7, 2025

Staff Recommendation **Approval, with conditions**, as the proposed use is consistent with the previous zoning and the commercial nature of the surrounding properties.

Record Number.....HZCU25-0010

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

Vote: 4-0 (Varner Absent)

Planning Commission Conditions

1. Development is approved as generally shown on the submitted site plan dated February 10, 2025 and described in the project narrative dated March 4, 2025 and supplemental narrative dated May 2, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The buffers shall be protected in perpetuity by a deed that follows the property. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).
3. A 200 foot undisturbed buffer shall be maintained along the right-of-way adjacent to Pleasant Hill Road.
4. Office hours of operation shall be from 9:00 am – 6:00 pm, Monday - Saturday and there shall be no tenant access onto the property from 12:00 am – 5:00 am, Monday - Sunday.

5. The developer shall provide supplemental plantings to provide screening along the portion of the tract abutting McEver Road. Supplemental plantings shall be subject to the approval of the Director of Planning and Zoning or their designee.
6. There shall be no ingress and egress along Pleasant Hill Road.
7. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply 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.
8. All conditions of zoning shall be made as part of any plats or construction plans created for the property.
9. A 6-foot tall opaque fence shall be installed along the southern property line of the development abutting residentially zoned parcels. The fence shall be completed within 90 days of approval of this zoning request and before the issuance of any other business licenses for the subject property.
10. A maximum of 91 parking spaces may be used for outdoor storage for items such as vehicles, boats, recreational vehicles, and trailers. Spaces adjacent to the right-of-way of McEver Road shall not be used for the storage of vehicles of any kind. Only temporary parking for customers and employees shall be permitted in front of the existing office space.
11. All outdoor storage and parking spaces shall be paved with asphalt or concrete and no other outdoor storage is allowed other than those noted in the previous conditions.
12. There shall be no junk or inoperable vehicles in any space designated for outdoor storage.
13. Parking of a maximum of two U-Haul Vehicles in front of the existing office building shall be permitted.
14. The office operations of Cardinal Construction shall be the only business permitted other than the office operations of the storage facility.
15. 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.”

Excerpts from the minutes of the May 19, 2025 meeting

Applicant’s Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request. Ms. Greenway stated that on May 6, 2025 the applicant provided a supplemental narrative outlining a

timeline of approved site plans, approved versus installed landscaping, as well as landscape and drone photography of the property.

Tyler Smith, 340 Jesse Jewel Parkway, Suite 300, Gainesville, presented the request. The applicant is requesting to amend the conditions of zoning on an 11.10± acre tract zoned Planned Commercial Development (PCD) and within the Gateway Corridor Overlay District (GCOD) to allow for outdoor storage and the expansion of services at a self-storage facility. The site is currently under development with three self-storage buildings and an office space (HDEV23-0012, HCNEW23-0196, HCNEW23-0336, HCNEW23-0337, and HCNEW23-0340). The subject property was rezoned on January 26, 2023, from Agricultural Residential III (AR-III) to Planned Commercial Development (PCD) for a self-storage facility (HZON23-0044). The rezoning approval was subject to eight conditions.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Hunt asked the applicant which version of the site plan was approved by the Board of Commissioners. The applicant stated it is the site plan dated October 20, 2022. Mr. Braswell stated the original confusion was due to multiple site plans and that Mr. Smith provided the needed clarity.

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

Conditions:

1. Development is approved as generally shown on the submitted site plan dated February 10, 2025 and described in the project narrative dated March 4, 2025 and supplemental narrative dated May 2, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The buffers shall be protected in perpetuity by a deed that follows the property. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).
3. A 200 foot undisturbed buffer shall be maintained along the right-of-way adjacent to Pleasant Hill Road.
4. Office hours of operation shall be from 9:00 am – 6:00 pm, Monday - Saturday and there shall be no tenant access onto the property from 12:00 am – 5:00 am, Monday - Sunday.
5. The developer shall provide supplemental plantings to provide screening along the portion of the tract abutting McEver Road. Supplemental plantings shall be subject to the approval of the Director of Planning and Zoning or their designee.
6. There shall be no ingress and egress along Pleasant Hill Road.
7. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply 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.

8. All conditions of zoning shall be made as part of any plats or construction plans created for the property.
9. A 6-foot tall opaque fence shall be installed along the southern property line of the development abutting residentially zoned parcels. The fence shall be completed within 90 days of approval of this zoning request and before the issuance of any other business licenses for the subject property.
10. A maximum of 91 parking spaces may be used for outdoor storage for items such as vehicles, boats, recreational vehicles, and trailers. Spaces adjacent to the right-of-way of McEver Road shall not be used for the storage of vehicles of any kind. Only temporary parking for customers and employees shall be permitted in front of the existing office space.
11. All outdoor storage and parking spaces shall be paved with asphalt or concrete and no other outdoor storage is allowed other than those noted in the previous conditions.
12. There shall be no junk or inoperable vehicles in any space designated for outdoor storage.
13. Parking of a maximum of two U-Haul Vehicles in front of the existing office building shall be permitted.
14. The office operations of Cardinal Construction shall be the only business permitted other than the office operations of the storage facility.
15. 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.”

Memo to the Planning Commission

Dear Planning Commission,

At the April 7, 2025 Planning Commission meeting, this request to amend conditions of zoning was tabled to the May 19, 2025 meeting to allow the applicant to provide further clarity on the changes which have occurred since the previous Board of Commissioners’ approval on January 26, 2023. The applicant was also asked to provide photographs of existing landscaping.

The following items were provided to staff on May 6, 2025:

1. Supplemental Narrative outlining the request, Planning and Development approval timelines, and approved versus installed landscaping.

2. Supplemental Landscape Photographs
3. Drone imagery photos of the entire parcel.

The following charts were provided in the supplemental narrative dated May 2, 2025 and outline Planning and Development approval timelines and the landscaping plan as compared to the installed plant material:

Planning and Development Approval Timeline

The following recaps the timeline of the planning and development process:

Date	Description
10/20/2022	Conceptual Site Plan prepared for Zoning Application, no outdoor storage
12/19/2022	Hall Co Planning Commission Approval of Rezoning to PCD
1/26/2023	Hall Co BOC Approval of Rezoning to PCD
2/14/2023	Initial Civil Plan (v3) submitted, no outdoor storage reflected
6/5/2023	Revised Civil Plans (v7) submitted, included 91 outdoor parking spaces (paved & gravel) and landscaping plan
7/24/2023	Revised Civil Plans (v9) submitted, included 91 outdoor parking spaces (paved & gravel), including landscaping plan
8/25/2023	Approval Permit for Site Development issued, including 91 outdoor parking spaces (paved & gravel) and landscaping plan
3/31/2025	As Built Plan submitted, includes 103 paved outdoor parking spaces

A recap of the Landscape Screening Plan and Actual is as follows:

Description	Plan	Actual
Red Maple Trees (front)	12	14
Water Oak Trees (front)	3	4
Leyland Cypress/Arbor Vitae (right side buffer)	9	9
Box Woods along Fence/Front Perimeter	0	149

Excerpts from the minutes of the April 7, 2025 meeting

Applicant's Presentation:

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

Thomas Elliott III, 1880 Sugarloaf Club Drive, Duluth, presented the request. The applicant is requesting to amend the conditions of zoning on an 11.10± acre tract zoned Planned Commercial Development (PCD) and within the Gateway Corridor Overlay District (GCOD), to allow for outdoor storage and the expansion of services at a self-storage facility. The site is currently under development with three self-storage buildings and an office space (HDEV23-0012, HCNEW23-0196, HCNEW23-0336, HCNEW23-0337, and HCNEW23-0340). The subject property was rezoned on January 26, 2023, from Agricultural Residential III

(AR-III) to Planned Commercial Development (PCD) for a self-storage facility (HZON23-0044). This rezoning approval was subject to eight conditions.

Charlie Hipple, 3625 McEver Road, Oakwood, presented the request.

Public Forum:

William Oberholtzer, 3709 Whiting Road, Gainesville, spoke in favor. As the adjacent property owner, he is comfortable with both indoor and outdoor storage being allowed at the facility. Mr. Oberholtzer did question how many parking spaces are allowed and how the stormwater runoff is being managed.

Mary Anna Jackson, 3637 Pleasant Hill Road, Gainesville, spoke in opposition. Ms. Jackson sought clarification as to whether the 200 foot buffer at the rear of the property would be changed and if an entrance for the property would be constructed off Pleasant Hill Road. Mr. Braswell answered that the buffer would remain and there would be no access allowed from Pleasant Hill Road.

Planning Commission Comments:

Mr. Braswell expressed concern that the site plan approved by the Board of Commissioners in 2023, the current site plan, and the land disturbance permit site plan are different. Mr. Hunt questioned why the conceptual site plan was used for the application instead of the as-built survey. The applicant confirmed that the buffer and ingress/egress would not be changed. Mr. Sosebee suggested tabling the application to allow the applicants to provide further clarity regarding the three different sites plans in Hall County files and to provide additional details for the outdoor storage request. Mr. Braswell asked Ms. Garmon if the applicant can obtain a certificate of occupancy at this time. Ms. Garmon explained that is dependent on the Planning Commission's decision, but a temporary occupancy has been issued. Mr. Hunt asked the applicant to demonstrate compliance with the previous Board of Commissioners' decision and to provide a clearer site plan.

Motion: A motion to table to Monday, May 19, 2025 was made by Frank Sosebee and seconded by Stan Hunt. Vote: 5-0

Staff recommends APPROVAL of the applicant's request, with the following conditions:

1. Development is approved as generally shown on the submitted site plan dated February 10, 2025 and described in the project narrative dated March 4, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The buffers shall be protected in perpetuity by a deed that follows the property. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).
3. A 200 foot undisturbed buffer shall be maintained along the right-of-way adjacent to Pleasant Hill Road.
4. Office hours of operation shall be from 9:00 am – 6:00 pm, Monday - Saturday and there shall be no tenant access onto the property from 12:00 am – 5:00 am, Monday - Sunday.

5. The developer shall provide supplemental plantings to provide screening along the portion of the tract abutting McEver Road that is proposed for outdoor storage of vehicles, boats, and RVs, excluding U-Haul parking. Supplemental plantings shall be subject to the approval of the Director of Planning and Zoning or their designee. There shall be no ingress and egress along Pleasant Hill Road.
6. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply 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.
7. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

Summary Analysis

The applicant is requesting to amend the conditions of zoning on an 11.10± acre tract zoned Planned Commercial Development (PCD) and within the Gateway Corridor Overlay District (GCOD), to allow for outdoor storage and the expansion of services at a self-storage facility. The site is currently under development with three self-storage buildings and an office space (HDEV23-0012, HCNEW23-0196, HCNEW23-0336, HCNEW23-0337, and HCNEW23-0340).

The subject property was rezoned on January 26, 2023, from Agricultural Residential III (AR-III) to Planned Commercial Development (PCD) for self-storage facility (HZON23-0044). The rezoning approval was subject to the following eight conditions:

1. The development shall occur as depicted on the site plan presented. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of storage area or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards unless approved.
2. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process, including all GCOD standards (17.420.050). No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions to follow.
3. The applicant shall receive approval from the Georgia Department of Transportation (GDOT) for a commercial driveway.
4. A Landscape Plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LOP).
5. Applicant shall submit architectural elevations of all four (4) sides of all structures for approval by the Planning Director with the following variances:
 - a. The north, west, and south walls of office building shall meet Gateway Corridor Standards.

- b. The north and west portions of the three (3) two-story buildings shall meet Gateway Corridor Standards, the east and south of the three (3) two-story buildings shall have metal sidings with the color to be approved by the Planning Director.
 - c. There shall be standing seam metal roof panels with the color to be approved by the Planning Director.
- 6. Signage shall require a separate permit and must meet the Gateway Corridors Overlay District (GCOD) standards found in Section 17.420.060; No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions.
- 7. The buffers shall be protected in perpetuity by a deed that follows the property. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).
- 8. All conditions of zoning shall be made part of any plats or construction plans created for the property.
- 9. A 200 foot undisturbed buffer shall be parallel to Pleasant Hill Road.
- 10. Office hours of operation shall be from 9 am - 6 pm, Monday - Saturday and there shall be no tenant access onto the property from 12 am - 5 am, Monday - Sunday.
- 11. All fencing requirements by Gateway Corridor shall be met.
- 12. There shall be no ingress and egress along Pleasant Hill Road.
- 13. Applicant shall work with Planning Director, if feasible, to install a 4 foot high berm, the length of the proposed buildings with evergreen tree vegetation along the side of property.

The surrounding properties are zoned and developed as outlined below:

- North: Planned Office Development (POD) – Family Promise of Hall County Institution – Approved for an institutional campus on October 10, 2019 (ZON2019-00081) & Agricultural Residential 1 (AR-1) – Developed with a church
- East: Agricultural Residential 1 (AR-1) – Developed with a single-family residence & Residential 1 (R-1) – Developed with a single-family residence
- South: Agricultural Residential 1 (AR-1) – Developed with single-family residences.
- West: City of Oakwood – Community Commercial (C-2)
Agricultural Residential 1 (AR-1) – Developed with single-family residences.

Per the narrative, the applicant is requesting to amend the approved site plan to include U-Haul truck and trailer rental services, as well as the outdoor storage of vehicles, boats, and recreational vehicles (RV's). The applicant is also requesting to include office operations for Cardinal Construction Inc. (CCI) as an additional business activities at this site.

Per the submitted site plan and narrative, the applicant has proposed two spaces at the entrance of the development to be used for U-Haul rental parking, which would facilitate the pickup or drop off of rentals outside of normal office hours. Any additional U-Haul inventory would be located in the secured parking area within the facility, accessible only during normal office hours.

Additionally, the applicant seeks to amend the conditions to allow outdoor storage for vehicles, boats, and RV parking. The applicant states that the property has 103 secured outdoor parking spaces along its perimeter that are proposed for U-Haul inventory and vehicle storage. These spaces would only be accessible between the previously approved business hours of 5:00 am and 12:00 pm.

Per the applicants' narrative, they are also requesting to amend the conditions to allow Cardinal Construction Inc. (CCI) to utilize the existing office as a base of operations for business management functions. Per the narrative, the same individual performs general office management operations for both CCI and Hometown Storage. The applicant further states no CCI customers will be visiting the site and CCI's presence at Hometown Storage will not be advertised, be publicly visible, or used to conduct any other business at this location.

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 proposed amendments to the site plan and conditions are suitable in view of the use and development of adjacent and nearby properties as well as the previous approval for the Planned Commercial Development on January 26, 2023.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed rezoning does not adversely affect the existing use or usability of adjacent properties.**
- 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.**
- 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 amendment of conditions is not anticipated to cause an excessive or burdensome use of the 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 zoning designation has been established by previous board action with the original approval of the development. The requested modification does not significantly impact the designated future land use of the area.**
- 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 diminished 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 currently zoned.**
- 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; **The property is currently under development as a storage facility with three self-storage buildings and an office (HDEV23-0012).**
- 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; **There are no known 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), this would not create an isolated district unrelated to the surrounding districts. Additionally, per the Official Code of Hall County, Planned Development Districts 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.**
- 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 property is currently zoned Planned Commercial Development (PCD) and the proposed amendments are not out of scale with the needs of the County as a whole or the immediate neighborhood.**
- n) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other sites within the county that would allow this use without board action, however, the proposal to amend the conditions requires approval by the Board of Commissioners.**
- 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 March 4, 2025, 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/modification may be required after review of business plan.”

Hall County Fire Marshal

In an email dated February 27, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, “The Hall County Fire Marshal’s Office has no comments as proposed.”

Hall County Public Works and Utilities

In a memo dated March 6, 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.

Traffic:

No comment

Utilities:

No comment

Georgia Department of Transportation

In an email dated March 3, 2025, Henry Stevens, GDOT Civil Engineer 2, stated that GDOT coordination is required.