

## Narrative Report

# Athens Highway Convenience Store Rezoning, Special Use & Variances

Applicant: Wolf Creek Inc. (Asif Mistry)  
2050 Lullwater Place  
Lawrenceville, GA 30543

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# Athens Highway Convenience Store

## Purpose

This report explores the possibility of rezoning and obtaining a special use and 2 variances for a 1.123 acre tract at 2978 Athens Highway in Hall County. The tract is currently vacant and zoned Light Industrial (I-1). The applicant wishes to rezone to H-B and develop a convenience store with fuel sales on the property.

Current Gateway Corridor regulations require parking to be in the back and to the side of businesses. The owner and developer are also asking a variance to this requirement to allow the parking to be placed in the front and to the side of the convenience store but away from the Athens Hwy. right-of-way, as well as a variance to the minimum number of parking spaces.

This plan should be considered conceptual in nature, and certain modifications may be necessary on the design of the preliminary plat and construction documents for the project. Modifications may include specific building and parking lot alignments and other improvements to adjust for field conditions. It is understood that land uses shown herein will not change, and only one building will be constructed.

Other than the required variances, the building and development will conform to Hall Gateway Corridor Overlay District requirements. The project will be served by City of Gainesville water and an individual sewage disposal system (septic). Trash will be placed in a dumpster located within an enclosure and screened as per regulations.

Two driveways will provide access to the development. The first entrance will be a one way, right turn only driveway on Athens Highway, which will meet all GDOT requirements. The GDOT has been consulted and is recommending this type entrance here.

The second entrance will be two way and will be on Baker Road. This driveway will meet Hall County Traffic Engineering standards.

## **Site Characteristics**

The site is 1.123 acres, mixed scrub vegetation and open area and is currently vacant. Topographically, the site drops approximately 16' in elevation from the southern property line at Baker Road to the northern most corner.

During an on-site investigation, no apparent rock or wetland areas were visible. There do not appear to be any state waters associated with the property but all County and State regulations governing state waters will be adhered to if required.

Water is provided by the City of Gainesville. The nearest fire hydrant is off Baker Road in front of the property.

## **Cultural Requirements**

The subject acreage is in Hall County, Georgia, and is currently zoned I-1 (as confirmed by the Hall County Planning Department). The owner proposes to apply for a rezoning to H-B for the purpose of developing a convenience store with fuel sales.

The required building setbacks for H-B zoning are within the Gateway District are 30' from the right-of-ways of Athens Highway and Baker Road or 55' from the centerline whichever is greater for the front, 20' from the side property lines, and 10' from the rear property line. The development will conform to these existing setbacks.

A 10' landscape strip is required along the property frontage.

## **Proposed Land Use**

The subject property is surrounded on all sides by AR-1 zoned properties. To the northwest is property owned by Byrd. To the southwest is a tract owned by Villanueva.

The proposed rezoning will be for the purpose of building an approximately 4,116 s.f. building for use as a convenience store with fuel sales. The store will be supported by an asphalt parking lot with curb and gutter.

The facility will be open seven days a week. Hours of operation are from 6:00 a.m. to 12:00 a.m.

Street trees and shrubs will be planted within the landscape strips fronting Athens Highway and Baker Road.

### **Architecture -**

Architectural styles shall conform to requirements of the Gateway Corridor Overlay District regulations.

The building will have a brick façade finish. All building finishes, surface materials, color treatments and exterior details shall be subject to review and approval of the Hall County Planning and Building Department staff.

### **Parking -**

Parking spaces shown on the concept plan reflect the regulatory requirement for a convenience store dispensing fuel of 3 spaces per 1,000 s.f. plus 1 space per fuel pump. This results in 19 spaces required. Conceptual design indicates that due to the size and configuration of the tract as well as other factors affecting infrastructure the site can only accommodate 16 spaces for the 4,116 s.f. building. The 16 spaces include two handicap spaces.

Hall County's new Unified Development Ordinance calls for developments within Gateway districts have parking in the side at rear of the building. Site characteristics, the tract's status as a corner lot and storm water management considerations will not support parking in the rear or side. The owner/developer is also asking for a variance to this ordinance requirement as part of his rezoning request in order to position the parking in front of the building but away from the right-of-way, as shown on the site plan.

The driveway aprons will be paved according to Hall County and/or GDOT standards. Access for those with disabilities will meet all ADA requirements.

## **Landscaping -**

A 25' vegetated transitional buffer is required between residential and highway business uses in Gateway Overlay districts. The buffer will be planted according to Hall County standards.

Tree Protection and other landscaping shall adhere to applicable Hall County ordinances.

The detention pond will be screened from Athens Hwy. with trees at a minimum as per the ordinance requirements for trees in the 10' landscape strip, plus shrubs at least 3' tall in a number exceeding the landscape strip requirements to ensure adequate screening. A 6' metal privacy fence is also proposed for further screening of the detention pond area.

All plantings are subject to best practices of the horticultural and landscape for grouping and spacing.

## **Infrastructure Improvements -**

All utilities, including but not limited to water, power, gas, cable, and telephone, will be underground and meet all applicable standards, and will be installed per regulatory standards in common trenches or conduit before driveway or sidewalk construction. No open cuts shall be allowed in Athens Highway and/or Baker Road unless allowed by Hall County Public Works or the GDOT for tying into existing water mains. All open trenches shall be covered at the end of each work day.

Grading & Erosion Control: Construction of the project will abide by the Georgia Manual of Erosion and Sediment Control, latest edition. All necessary Best Management Practices will be used. The project will be developed in accordance with all local, state, and federal regulations, with erosion and sediment control designed specifically for the clearing and grubbing phase, the grading phase, and the stabilization phase.

BMP's and storm water management facilities will be in place and operating as construction proceeds, and inspected and maintained as per all applicable ordinances.

All applicable local, state and Federal erosion and sediment control and stormwater management regulations shall be adhered to.

### **Signage -**

One monument type sign will be constructed along the Athens Highway frontage and will meet all current Hall County signage standards. The sign will be lighted as per normal convenience store development practices and will conform to Hall County lighting requirements.

All signage, hardscape materials and planting will be subject to review and approval by Hall County Planning Department staff.

The sign area itself will not include any accompanying walls or fencing, except for that portion of a wall that might include the sign facing materials.

### **Lighting –**

There will be pole mounted low level non-spill lighting fixtures placed around the perimeter of the parking lot, and low level non-spill façade mounted lighting fixtures attached to the corners of the building for security purposes.

Attachments:

- Hall County Zoning, Special Use & Variance Application Package
- Concept Plan
- Plat
- Legal Description
- Representative Renderings & Elevations