

**HALL COUNTY PLANNING COMMISSION
STAFF REPORT**

Applicant Top-End Motor Storage, LLC

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

Proposed Use Storage lot

Size 17.08± acres

Zoning Heavy Industrial (I-2)

Location **5481 & 5489 Technology Parkway** | Tax parcels
15028F000006 & 000007

Commission District One

Planning Commission Date September 15, 2025

Staff Recommendation **Denial**, as the proposal is not consistent with the
zoning of the industrial park.

Record Number.....HZCU25-0041

Planning Commission Recommendation**Approval, with conditions**

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

Planning Commission Conditions:

1. Development is approved as generally shown on the site plan dated December 6, 2024, and described in the project narrative dated August 1, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. A storage lot is permitted as shown in the submitted site plan with a maximum of nine parking spaces for tractor trailer parking.
3. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply 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.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

5. An 8 foot solid opaque fence shall be installed along the property lines abutting residentially-zoned properties. There shall also be a 50 foot undisturbed buffer installed along the property lines abutting residentially-zoned properties.
6. An 8 foot high opaque fence shall be installed around the perimeter of the outdoor storage area as shown on the submitted site plan dated December 6, 2024.
7. The request for further subdivision of the lots is denied. Any further subdivision of the lots will require approval of a special use in a separate application.
8. The following uses shall be prohibited within the development:
 - a. Marina
 - b. Adult establishment
 - c. Adult care centers
 - d. Private morgues, mortuary, crematorium
 - e. Psychic fortune teller
 - f. Pawn shop, pawn broker, title pawn, title loan, check cashing
 - g. Smoke or vape shop

Excerpts from the minutes of the September 15, 2025 meeting

Applicant's Presentation:

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

Keith Pugh, 929 Brenau Point Drive, Gainesville, presented the request. The applicant is requesting to amend the conditions of zoning on a combined 17.08± acre tract zoned Heavy Industrial (I-2) within Road Atlanta Technology Park to allow a storage lot for equipment and supplies as well as tractor trailer parking. Road Atlanta Technology Park is a 400± acre tract rezoned from Agricultural Residential IV (AR-IV) to Heavy Industrial (I-II) on March 12, 1990. The intent of the rezoning was to develop an industrial park which would provide complementary development to the adjacent Road Atlanta Racetrack, now known as Michelin Raceway Road Atlanta. The rezoning approval was subject to two conditions related to uses and development standards.

Public Forum:

Raymond Pastoric, 6037 Allee Way, Braselton, spoke in favor of the application. As the operator of the business located on the subject property, he strives to keep the area neat and clean and intends to improve the property to be more aesthetically pleasing.

William Bass, 5622 Tranquility Drive, Braselton, spoke in opposition. His concerns were the potential negative environmental impacts, an increase in noise, and safety risks for children in the area. He questioned whether this request is for the applicant's total property or just one part.

Planning Commission Comments:

Mr. Hunt asked the applicant if there are plans to park refrigeration trucks. The applicant stated there are no plans to do so at this time but if there were, the trucks would be parked at the location farthest from the residential neighbors. Mr. Hunt asked the applicant about the request in their narrative to potentially subdivide the lot. The applicant stated that they do not intend to subdivide now but may want to in the future. Mr. Braswell confirmed with Ms. Garmon that the subdivision of the property would require a separate special use approval. Mr. Davidson asked what the current hours of operation are. The applicant stated that they are from 8:00 am to 6:00 pm Monday through Friday with some tenants using the property occasionally on Saturdays but never at night. Mr. Braswell noted that the site plan only shows plans for 5489 Technology Parkway but does not show any plans for 5481 Technology Parkway. The applicant confirmed they have conceptual ideas for 5481 but no specific plans that they would be going forward with at this time. Mr. Hunt asked what the rear buffers requirements are per the current zoning. Mr. Braswell stated 25 feet if the adjacent property includes a residential structure. Mr. Hunt stated he would be in favor of increasing this buffer to 50 feet. Mr. Braswell asked Staff to confirm if the decision for the application would only apply to the larger tract of land. Ms. Garmon stated the conditions would apply to both parcels, however a subdivision of the property would require a separate special use application. Mr. Braswell asked if the parking lot would only be used for trailers. The applicant explained that the parking area could be used for overnight or weekend tractor trailer parking, recreational vehicles (RVs), boats and cars. Mr. Hunt asked if the trailers would be occupied overnight, and the applicant stated they would not be.

Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by André Castleberry. Vote: 3-1 (Davidson opposed, Sosebee absent)

Conditions:

1. Development is approved as generally shown on the site plan dated December 6, 2024, and described in the project narrative dated August 1, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. A storage lot is permitted as shown in the submitted site plan with a maximum of nine parking spaces for tractor trailer parking.
3. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply 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.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
5. An 8 foot solid opaque fence shall be installed along the property lines abutting residentially-zoned properties. There shall also be a 50 foot undisturbed buffer installed along the property lines abutting residentially-zoned properties.
6. An 8 foot high opaque fence shall be installed around the perimeter of the outdoor storage area as shown on the submitted site plan dated December 6, 2024.

7. The request for further subdivision of the lots is denied. Any further subdivision of the lots will require approval of a special use in a separate application.
8. The following uses shall be prohibited within the development:
 - a. Marina
 - b. Adult establishment
 - c. Adult care centers
 - d. Private morgues, mortuary, crematorium
 - e. Psychic fortune teller
 - f. Pawn shop, pawn broker, title pawn, title loan, check cashing
 - g. Smoke or vape shop

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

1. Development is approved as generally shown on the site plan dated December 6, 2024, and described in the project narrative dated August 1, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. A storage lot is permitted with a maximum of nine parking spaces for tractor trailer parking.
3. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply 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.
4. 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 a combined 17.08± acre tract zoned Heavy Industrial (I-2) within Road Atlanta Technology Park to allow a storage lot for equipment and supplies as well as tractor trailer parking.

The two parcels comprising the subject property are within Road Atlanta Technology Park which is a 400± acre tract rezoned from Agricultural Residential IV (AR-IV) to Heavy Industrial (I-II) on March 12, 1990. The intent of the rezoning was to develop an industrial park which would provide complementary development to the adjacent Road Atlanta Racetrack, now Michelin Raceway Road Atlanta. The rezoning approval was subject to the following two conditions:

1. The uses permitted in the I-II district for this property be restricted to those uses listed in Attachment A; and

2. The development of the property be in compliance with the standards set forth in Attachment B.

Attachment A
(Permitted Uses for Road Atlanta Property)
Zoned I-II with Conditions On March 12, 1990

A. Uses Permitted Inherently

1. Any commercial use or industrial use which involves manufacturing, processing, or assembly operations or the storage and sale of heavy materials, products, or equipment, but not including uses which may cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard, or other objectionable conditions to nearby areas or those uses listed in subsection B. of this section*.
2. Agricultural or horticultural uses.
3. Automobile repair garage.
4. County uses.
5. Offices.
6. Radio and television transmission towers.
7. Subdivisions (non-residential).
8. Truck terminals.
9. Wholesaling and warehousing.

B. Uses Permitted Subject to Approval of the County Commission After Review and Recommendation by the Planning Commission - Public Hearing Required*

1. Airports and landing fields.
2. Foundry or forging of iron, steel, brass, copper and other metals, but not including the extrusion of metals.
3. Manufacture or bulk storage of acid, including but not limited to hydrochloric, nitric and sulfuric.
4. Manufacturing, processing or storage in bulk of chemical and pharmaceutical products.
5. Manufacture or storage of gas, including but not limited to butane, propane, chlorine or other toxic, noxious or pyrophoric gases.
6. Manufacture of paint, oil, shellac, turpentine or varnish.
7. Manufacture, storage or wholesale of petroleum or its related products.
8. Municipal, state and other public uses.
9. Retail or retail service establishments.
10. Service stations.
11. Outdoor storage of materials and inventory not including uses as included in subsection B. of this section.
12. Other similar uses which, due to their historical impact on air and water quality, use of hazardous materials, tendency to emit excessive levels of noise, vibration, odor, smoke, particulate matter, fumes, and /or radiations, and general threat to the community's living and working environment, are deemed by the Planning Commission, subject to appeal to the County Commission, to be significant risk to the public health, safety or welfare.

C. Conditional Uses Subject to Approval of the Zoning Board of Adjustment

1. Additional parking on other than principal lot.

2. Caretaker and/or employee residence.

***The uses listed in this attachment are selected from the Hall County Zoning Regulations, Section 15, Heavy Industrial District. Any use listed in the Regulations under that zoning district and not included in this list of uses, are deemed to be not allowed on this site. Those uses specifically prohibited from this site:**

- 1. Animal or food processing plants, including but not limited to poultry, veal or beef**
 - 2. Commercial incinerators, including but not limited to those handling garbage and medical waste.**
 - 3. Commercial slaughter of animals.**
 - 4. Distillation of bones, coal, petroleum, animal refuse, grain, tar and wood.**
 - 5. Fertilizer manufacture.**
 - 6. Grain elevators or commercial feed mills.**
 - 7. Junk and salvage yards and scrap metal processor.**
 - 8. Land fills, including but not limited to sanitary landfills.**
 - 9. Manufacture or refining of asphalt.**
 - 10. Manufacture of cement, cement products, concrete, clay products, lime, gypsum, brick, tile or plaster of paris.**
 - 11. Manufacture or storage in bulk quantities of explosives, including but not limited to fireworks.**
 - 12. Manufacture of glue or gelatin.**
 - 13. Mineral extraction, including but not limited to quarrying stone, crushing and mining.**
 - 14. Paper and pulp mills.**
 - 15. Refining or manufacture of tallow, grease or lard from or of animal fat.**
 - 16. Rendering plants.**
 - 17. Rifle, pistol and skeet ranges.**
 - 18. Smelting of metal ores, including but not limited to tin, copper, zinc or iron.**
 - 19. Stock yards.**
 - 20. Tanning, curing or storage of raw hides or skins.**
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Attachment B
Development Standards For Road Atlanta Property Zoned I-II with Conditions
On March 12, 1990

Minimum Lot Size:

1. The minimum lot size for tracts which will contain industrial uses involving manufacturing, processing, or assembly shall be 5 acres. Such lots will be hereby referred to as "5 acre" lots.
2. The minimum lot size for tracts for tracts which will contain other industrial uses shall be 1.5 acres. Such lots will be hereby referred to as a "1.5 acre" lots.

Minimum lot frontage (Measured along the front street line thereof or if said front street line is curved, along the chord of the arc):

1. For a "5 acre" lot will be 200 feet*
 2. For a "1.5 acre" lot will be:100 feet
- *May be reduced to 100 feet for lots at the end of a cul-de-sac.

Minimum setbacks*:

***(All setbacks to be measured from property line)**

1. "5 acre" lot
 - Front 75 feet
 - Side 50 feet
 - Rear 50 feet
2. " 1.5 acre" lot:
 - Front 50 Feet
 - Side 30 Feet
 - Rear 30 Feet

Maximum lot coverage:

1. "5 acre" lots:

No more than 50% of the lot may be occupied by structures. A minimum of 25% of the lot must be reserved for open space. No improvements other than landscaping will be permitted in the open space.
2. "1. 5 acre" lots:

No more than 60% of the lot may be occupied by structures. A minimum of 15% of the lot must be reserved for open space. No improvements other than landscaping will be permitted in the open space.

Buffers:

A vegetative buffer strip of a minimum of 25 feet shall be maintained along property lines where the adjacent property contains a residential structure within 200 feet of the I-II zoned area. Should said adjacent property cease to used for residential purposes, and be rezoned to a commercial or industrial zone, the required buffer may be eliminated.

Landscaping along S.R. 53:

The frontage of the subject area that lies along S.R. 53 shall be landscaped to a depth of at least 30 feet, as will all entrances into the subject property from S.R. 53

While storage lots are permitted in the Heavy Industrial (I-2) zoning district, the conditions for Road Atlanta Technology Park do not permit the use.

The eastern side of the subject property at 5489 Technology Parkway (Lot 7 of the development) is currently developed with a 14,400 square foot industrial building built in 2008. The western side of the parcel is partially graded and has been utilized for open storage of shipping containers, trailers and vehicles per aerial photo history. There is no history of these uses being previously approved. The adjacent subject property at 5481 Technology Parkway (Lot 6 of the development) is undeveloped.

The surrounding properties are zoned and developed as follows:

- North: Heavy Industrial (I-2): Vacant and commercially-developed properties within Road Atlanta Technology Park
- East: Residential 1 (R-1): Single-family residential subdivision
- South: Heavy Industrial (I-2): Undeveloped (owned by Road Atlanta, LLC)
- West: Planned Commercial Development (PCD): Michelin Raceway Road Atlanta (Road Atlanta, LLC)

Per the submitted narrative, the applicant is requesting to amend conditions of the original rezoning such that the following would apply to the two subject parcels:

1. Allow current permitted uses in the Heavy Industrial (I-2) classification per the Hall County UDC in addition to those specifically listed in Attachment A of the Board of Commissioners approval dated March 12, 1990.
2. Allow outside storage of equipment and supplies used in tenant specific businesses.
3. Allow designation of up to a maximum of nine parking spaces for tractor trailer parking.
4. Allow each parcel to be subdivided into tracts of not less than 1.5 acres in size in the future.

Per the submitted narrative, the applicant proposes to expand the existing facility to allow for indoor and outside storage of automobiles, recreational vehicles, boats, no more than 9 (nine) tractor trailers, construction equipment and supplies, and shipping containers. The proposal for the western side of the parcel at 5489 Technology Parkway is for outside storage that would eventually be covered. An expansion is proposed for the existing building on the same parcel. Per the narrative, the applicant proposes to develop the 5 acre parcel at 5481 Technology Parkway with either an expansion of storage activities or development of multi-tenant buildings. Furthermore, the applicant requests the option of being able to subdivide these two parcels into tracts of at least 1.5 acres in size.

The submitted site plan shows proposed development of the property at 5489 Technology Parkway with an addition to the existing building and a gravel-surfaced storage lot on the west side of the parcel.

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; **Proposed amendments 1 and 4 to the original conditions and development standards of Road Atlanta Technology Park are not suitable in view of the use and development of adjacent and nearby properties.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed amendments 1 and 4 to the development would adversely affect adjacent or nearby property.**
- 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; however, approval from the Board of Commissioners is required to amend conditions of zoning.**
- 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; **If approved, the proposed amendments are 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 subject parcels are zoned Heavy Industrial (I-2). The property at 5489 Technology Parkway is developed with a 14,400 square foot industrial building built in 2008. The property at 5481 Technology Parkway is undeveloped.**

- 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 request is to amend zoning conditions of an existing Heavy Industrial (I-2) zoning district, this amendment does not create an isolated district unrelated to surrounding zoning.**
- 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; **Amendments 1 and 4 are out of scale with the needs of 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; **A request to amend the conditions of zoning 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 August 13, 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."

Georgia Department of Transportation

In an email dated August 18, 2025, Nakia Nembhard, GDOT Civil Engineer 3, stated that GDOT coordination is not required.

Hall County Public Works and Utilities

In a memo dated August 15, 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.

- Show stream buffer and impervious setback from wretched vegetation not centerline of stream.
- Show FEMA and Hall County studied Flood plains that are present on site.

Traffic:

No comment.

Utilities:

Hall County sewer area. No sewer in vicinity.

Hall County Fire Marshal

In an email dated August 12, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments as proposed."