

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Hung Lam

Request Rezone from Agricultural Residential-III (AR-III) to Highway-Business (H-B)

Proposed Use Outdoor storage -boat and RV storage

Size 3.86± acres

Zoning AR-III

Location On the west side of Falcon Parkway
approximately 155 feet from its intersection
with Chris Avenue; a.k.a. 3818 Falcon
Parkway; Tax Parcel 08050 001005.

Commission District Two

County Commission Date August 26, 2021

Staff Recommendation **Approval, with conditions**

Planning Commission Recommendation – Approval, with conditions
Vote: 5-0 vote

Conditions

√	1. <i>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.</i>
√	2. <i>Development shall conform to the standards set forth by the Gateway Corridors Overlay District. No variances are granted as part of this application.</i>
√	3. <i>Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.</i>
√	4. <i>All conditions of zoning shall be made part of any plat created for the property.</i>
√	5. <i>All building materials and colors shall be approved by the Planning Director prior to the issuance of any building permits.</i>
√	6. <i>Any existing structures to remain on the property shall be brought up to meet the Gateway Corridors Overlay District (GCOD) Standards.</i>
√	7. <i>The development shall have decorative metal fencing with masonry columns along Falcon Parkway. There shall be a 6 foot tall opaque fence (black vinyl chain-link or PVC material) along all other property lines.</i>
√	8. <i>There shall be a 10 foot landscape buffer along the northeastern property line, adjacent to the parcels which front on Chris Avenue.</i>

√ **Applicant agrees with conditions.**

Applicant Proposal

The applicant is seeking to rezone his 3.86± acre parcel from Agricultural-Residential-III (AR-III) to Highway Business (H-B) for development as outdoor boat and RV storage business. The narrative submitted with the application states the intent of the applicant to demolish four of the existing homes, which are the oldest, and renovate two of the newer existing homes for a gatehouse and an office. The submitted site plan depicts 124 spaces for storage, as well as a fence around the perimeter and storm-water management area.

History and Existing Land Uses

The subject property is zoned Agricultural-Residential-III (AR-III) currently has 6 residences and an accessory building. The subject property is bounded by the municipal boundaries of the City of Oakwood on three sides. The unincorporated areas are currently zoned Suburban Shopping (S-S) and AR-III. The current zoning appears to be original to the property.

Comprehensive Plan Land Use Designation

The future land-use map shows the subject property as “Residential” and within one half mile of an Employment Corridor. The residential land-use category should be characterized by moderate-density residential development and neighborhoods. The appropriate land uses in the Residential category residential subdivision design that sets aside a high percentage of open space, greenways and trails, and civic benefit uses such as community centers, libraries, places of worship, and schools.

The primary land uses within the Employment Corridor are for industrial uses, business parks, and technology-based operations. For corridors with interstate or rail access that support industrial or more intensive commercial uses, the intent is to provide additional larger-scale employment generators.

This request is not consistent with the Future Land Use Designation found in the Comprehensive Plan. Despite this, commercial zoning category requested matches the uses and intensity of the S-S zoning on adjacent properties and within close proximity.

Development Support and Constraints

Hall County Environmental Health

In an email dated July 7th 2021, Emily McGahee, Environmental Health Manager provided the following comment: *“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 may be required after review of business plan.”*

Hall County Fire Services

The property is located approximately 1.5 miles from Hall County Fire Station #5, located at 4187 Falcon Parkway. The nearest fire hydrant is located in the right-of-way at the intersection of Chris Ave. and Falcon Parkway.

Hall County Public Works and Utilities

A memo dated July 8, 2021 from Srikanth Yamala, Director of Hall County Public Works and Utilities, provided the following comments:

Engineering

Stormwater shall meet Hall County standards.

Traffic Engineering

Access must be approved and permitted through Georgia Department of Transportation (GDOT).

Utilities

No comment.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

According to the Hall County GIS map, public water is available to the property along Falcon Parkway from the City of Gainesville's Department of Water Resources.

Georgia Department of Transportation

No comments were provided.

Zoning Analysis

- The proposed use is not residential in nature, however the close proximity to the "Employment Corridor" land use designation should be considered and the proximity to other non-residential uses established on adjacent properties.
 - The proposed use **is not consistent** with the Hall County Comprehensive Plan but is in keeping with the existing development pattern in the area.
- The subject property falls within the Gateway Corridor Overlay District (GCOD) and is subject to design standard for non-residential development including: architectural, buffering, landscaping and signage requirements.
- The GCOD provides guidelines for non-residential property development. The guidelines apply to both permitted uses and development standards. Within the GCOD, the following uses are prohibited: adult entertainment, junk yards, and billboard signs. Uses subject to the approval of the Hall County Board of commissioners (BOC) include self-storage warehouses, vehicle sales lots (new or used), automobile repair and maintenance, commercial outdoor recreation, car washes and outdoor storage.
- Within the GCOD, the use of a common palette of building materials should be maintained for all four sides of principle buildings to create a consistent and traditional architectural identity. For large commercial/retail buildings, variations in building materials, texture, and depth should be employed to provide design variation. Building materials used for all four sides should consist of natural masonry materials.
 - The applicant has not provided examples of proposed building materials and no variances are part of this request.
- Per 17.420.050.2.b. of the Official Code of Hall County, where a commercial zoning district abuts property zoned for residential or agricultural use, the minimum width shall be 25 feet. The adjacent

property to the west is zoned AR-III, therefore there shall be a 25-foot landscape buffer along this boundary.

- The site plan does not show this standard being met, however the overall boundary would not be subject to this requirement and conformance would likely defeat the overall purpose and intent of establishing a buffer.
- Per 17.420.050.E.3 of the Official Code of Hall County, all parking areas shall be paved with asphalt, or concrete.
 - The site plan shows asphalt paving throughout the development; this standard has been met.

Staff Recommendation

Staff recommends **approval** of the applicant's request with the following conditions:

1. 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.
2. Development shall conform to the standards set forth by the Gateway Corridors Overlay District. No variances are granted as part of this application.
3. Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.
4. All conditions of zoning shall be made part of any plat created for the property.

Excerpts from the minutes of the meeting of July 19, 2021

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

William Ferguson, 4441 J M Turk Road, Flowery Branch, presented the request. Mr. Ferguson stated that a few of the houses on the front of the property had been renovated and they were planning to turn one of the houses into the office for the proposed request. He stated that the houses on the rear of the property would be torn down to provide space for the outdoor storage. Mr. Ferguson stated that there would be a nice entrance constructed, a decorative fence around the property, and asphalt. Mr. Braswell asked to view the aerial photo for Mr. Ferguson to point out which houses would be kept and used for the office and gatehouse. Mr. Ferguson stated that an updated and final site plan would be submitted as soon as it was finished. Mr. Bell asked if the outdoor storage would be covered. Mr. Ferguson stated that they would be covered. Mr. Braswell stated that brick or stone columns, with iron fencing be used. Mr. Braswell asked if there would be exterior work done on the houses being turned into the office and gatehouse. Mr. Ferguson stated that there would be and it would meet all required standards. Mr. Braswell stated that he believed this would be a vast improvement from what is currently there. Mr. Bell asked if the site plan would be updated and submitted prior to their Board of Commission meeting. Mr. Ferguson stated that he did not know if it would be completed before that meeting. Mr. Braswell asked if Mr. Ferguson could at least clean up the current site plan prior to that meeting. Mr. Ferguson stated that he would do that and have Planning Staff review it prior to the Board of Commission meeting as well. Mr. Bell asked about the buffer between the proposed property and the residential lots. The Planning Commission discussed options between how big of a buffer and what type of fencing could be used on that property line. Mr. Bell stated that he would be agreeable with a 10 foot buffer and an opaque fence. The other Planning Commissioners agreed. Mr. Hunt asked if opaque fencing would be used around the entire property. Mr. Braswell stated that it would only be required on the eastern property line.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: ***Mr. Hunt made a motion to recommend approval, with conditions for the request, with a second from Mr. Bell and the motion passed by a 5-0 vote.***

Conditions:

1. *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.*
2. *Development shall conform to the standards set forth by the Gateway Corridors Overlay District. No variances are granted as part of this application.*
3. *Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.*
4. *All conditions of zoning shall be made part of any plat created for the property.*
5. *All building materials and colors shall be approved by the Planning Director prior to the issuance of any building permits.*
6. *Any existing structures to remain on the property shall be brought up to meet the Gateway Corridors Overlay District (GCOD) Standards.*
7. *The development shall have decorative metal fencing with masonry columns along Falcon Parkway. There shall be a 6 foot tall opaque fence (black vinyl chain-link or PVC material) along all other property lines.*
8. *There shall be a 10 foot landscape buffer along the northeastern property line, adjacent to the parcels which front on Chris Avenue.*