

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Chris Patton/Patton Land Surveying, LLC

**Request** ..... Rezone from Agricultural Residential-IV (AR-IV) to Planned Industrial Development (PID)

**Proposed Use** ..... Light manufacturing, warehousing, and distribution facility

**Size** ..... 84.48± acres

**Zoning** ..... AR-IV

**Location** ..... On the west side of Cornelia Highway approximately 1,525 feet from its intersection with Mud Creek Road; a.k.a. 5631 Cornelia Highway; Tax Parcel 09021 000020

**Commission District** ..... Three

**County Commission Date** ..... December 6, 2021

**Staff Recommendation** ..... **Denial**

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

**Vote: 3-0**

*Conditions:*

1. *The development shall conform substantially with the proposed narrative. Building layout and orientation may shift, but the maximum thresholds and uses outlined in the project narrative and on the site plan, shall be required.*
2. *All future development shall be subject to all standards set forth by the Gateway Corridor Overlay District; no variances to these standards shall be approved unless approved by Planning Commission and Board of Commissioners, and as listed below:*
  - a. *Minimum Lot Area – 25,000 sq. ft.*
  - b. *Maximum Building – 490,000 sq. ft.*
  - c. *Maximum Building Height – 50 ft.*
  - d. *Minimum Lot Frontage – 100 ft.*
  - e. *Front Building Setback – 30 ft. from interior streets*
  - f. *Front Building Setback (GA 365) – 75 ft. from centerline or 30 ft. from property line, whichever is greater*
  - g. *Side Setback – 20 ft.*
  - h. *Rear Setback – 20 ft.*
  - i. *Exterior Buffer – 75 ft. undisturbed buffer, not to include frontage along Cornelia Highway*

- j. *Maximum Impervious Area – 80%*
  - k. *Parking Ratio – Based upon user needs but not to exceed maximum impervious area*
- 3. *All access off Cornelia Highway shall be approved and permitted by GDOT.*
- 4. *Any outdoor storage shall be screened with an eight foot opaque fence, in accordance with §17.260.020 of the Official Code of Hall County.*
- 5. *All mechanical services shall be conducted within a garage bay.*
- 6. *Elevations depicting the proposed building shall be submitted to the Planning Department for approval by the director during the Development Review process. No building permit shall be issued for the development without the approval of said elevations.*
- 7. *All conditions of zoning shall be made a part of any plat recorded for this property.*
- 8. *A 75 foot undisturbed buffer shall be provided along all exterior lot lines except the road frontage along Cornelia Highway.*

### **Applicant Proposal**

The applicant is requesting to rezone approximately 84.25± acres from Agricultural Residential-IV (AR-IV) to Planned Industrial Development (PID) for light manufacturing, warehousing, and a distribution facility. The proposed development will allow uses based on the county's Light-Industrial zoning designation permitted uses which include the following:

- Warehouse/distribution facilities
- Light manufacturing facilities
- Production, warehousing, and distribution of ink
- Truck terminals
- Steel fabrication & welding (excluding foundry and forging)
- "Flex-Space" multi-tenant uses (businesses requiring a varied square footage mix of office and warehouse space)
- Conditional use of additional parking on other than principal lot

The application proposed the exclusion of the following uses:

- Bus stations
- Drive-in theaters
- Junk yards
- Service stations
- Group day care home
- Adult establishments
- Astrologers
- Clairvoyants
- Fortune Tellers
- Palmists
- Phrenologists
- Other similar or related occupations licensed by the Board of Commissioners

The applicant has stated that the plan is conceptual in nature, and no end user has yet been established; the applicant asks for the flexibility to modify plans so long as the modifications do not

change the land use, increase the overall density of the project, or reduce any established exterior buffers or setbacks. However, the Permitted Uses, Use Exclusions, and Development Standards will not change from those noted within the application.

The application acknowledges the location of the property within the Gateway Corridors Overlay District, and requests the following variances be granted:

- Allowance of exterior walls to be constructed of tilt-up or pre-stress concrete wall panels. With review and design approval of the Planning Director, the exterior design will incorporate a combination of reveals or other design features in the wall panels to avoid a straight, flat wall appearance.
- Allow exterior walls of the buildings to be insulated metal panels of the type specifically used in the construction of cold storage or freezer facilities.
- Allow standing seam architectural metal roof panels (with colors approved by the Planning Director) and white Thermoplastic polyolefin materials, commonly known as TPO roof systems.
- Allow rooftop HVAC units or other rooftop equipment to be installed without screening, if the equipment is not visible from GA-365.
- Allow the outside storage of raw materials, finished materials and flat-bed or box trailers and semi-trucks for the transportation of goods.
- Allow additional parking of passenger vehicles and flat-bed or box trailers and semi-trucks on other than the principal lot.
- Allow a primary monument sign, at main entrance into the Property, with dimensions of maximum square footage the code will allow, based upon the projected maximum build-out of 490,000 square feet, which could incorporate multiple company names located within the Property.
- Allow the monument sign to be “halo” or back-lit type of lighting.
- Allow the signs in the front yard area of each individual building, with dimensions of the maximum square footage that the code will allow, based upon the ultimate projected build-out of the building. The number of directional signage within the Property shall be allowed as needed.
- Allow the use of “halo” or back-lit type of lighting on individual buildings’ signs or on individual buildings.
- Allow the use of non-spill LED exterior lighting, whether pole-mounted or attached to the building or structures.

The submitted site plan shows three buildings within the development, as well as associated parking and anticipated future expansion. Two potential access drives connect to Cornelia Highway, with one indicated as a future driveway expansion. A 50 foot buffer/building setback is shown on all exterior boundaries.

No renderings or elevations were submitted as part of the application.

**Proposed Development Standards:**

| <b>Standard</b>                 | <b>Proposed</b>   | <b>Official Code of Hall County</b>                                       |
|---------------------------------|---|---|
| Min Lot Area                    | 25,000 sq. ft.  | 15,000 sq. ft. (§17.240.010)  |
| Max Building                    | 490,000 sq. ft.   | Not specified – see max. impervious area                                  |
| Max Building Height             | 50 ft.  | ≤ 35 ft. (§17.420.050.H.1.B)  |
| Min Lot Frontage                | 100 ft.   | 500 ft. (§17.240.160) along Cornelia Highway                              |
| Front Building Setback          | 30 feet from interior streets   | 55 ft. from centerline or 30 ft. from property line, whichever is greater |
| Front Building Setback (GA-365) | 75 ft. from centerline or 50 ft. from property line, whichever is greater | 100 ft. from centerline of arterial road (§17.240.040)                    |
| Front Building Setback          | 30 ft. from interior streets  | 55 ft. from centerline or 30 ft. from property line, whichever is greater |
| Side Setback                    | 20 ft.  | 20 ft.  |
| Rear Setback                    | 20 ft.  | 20 ft.  |
| Exterior Buffer                 | 50 ft.  | 50 ft. (§17.420.050.C.2.C)  |
| Maximum Impervious Area         | 80%   | 80% of lot area (§17.240.110)   |
| Parking Ratio                   | Based upon user needs but not to exceed max. impervious area              | See §17.250 for parking requirements based on use                         |

**History and Existing Land Uses**

The subject property measures approximately 84.48± acres and has 1,900 feet of frontage along Cornelia Highway (State Route 365). The recorded plat (plat slide 772, page 240A, dated August 9,1999) shows three tracts of 28 acres. The current zoning of AR-IV appears to be original to the property. The property is undeveloped and heavily wooded.

Adjacent properties are also zoned AR-IV; these properties are developed with single-family residences and agricultural uses.

The subject property also falls within the Gateway Corridors Overlay District (GCOD), which is supplemental to the underlying zoning district classification. The GCOD governs non-residential property development standards.

**Comprehensive Plan Land Use Designation**

The Comprehensive Plan designates the future land use classification as “Rural”. This land use category is characterized by agricultural and very low-density single-family residential uses. Residential subdivision design should set aside a high percentage of open space. The development pattern includes larger areas of undeveloped or cultivated land with large distances between buildings and deep setbacks from two-lane roads. Natural features include extensive tree cover and open space

areas due to limited development, as well as waterways that include the Chattahoochee River, the Cedar Creek Reservoir, and streams.

The request is inconsistent with the Comprehensive Plan.

### **Development Support and Constraints**

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

In an email dated November 15, 2021 Emily McGahee with Hall County Environmental Health provided the following comments: "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. Any proposed subdivision of parent property must meet Hall County Board of Health Lot Size Resolution requirements."

#### **Hall County Fire Services**

The subject property is located approximately 4.3 miles from Hall County Fire Station #6, located at 6172 Lula Road. There are no fire hydrants affiliated with Hall County or the town of Lula in the immediate area.

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

In a memorandum from Public Works and Utilities on November 16, 2021, Public Works Director Srikanth Yamala stated the following:

##### **Engineering**

The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater threshold for impervious surfaces and/or disturbed acreage.

##### **Traffic**

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

##### **Utilities**

Septic/No sewer

#### **Hall County Tax Assessors**

No comments provided

#### **Water Service**

The Hall County GIS map shows no access to public water along Cornelia Highway. The applicant has provided a map titled "Water Service Delivery Area" and dated May 2017 that shows the property within Hall County Service Area.

### Georgia Department of Transportation

In an email dated November 17, 2021, Parker Niebauer, stated that this project will require GDOT coordination.

### Zoning Analysis

- The proposed use for light manufacturing and warehouse/distribution facilities is inconsistent with the Comprehensive Plan designation of the property as “Rural.”
- Per §17.180.090.B.2 of the Official Code of Hall County states that when a Planned Development District zoning is requested, “the development controls for the district shall be detailed (lot coverage, setbacks, building heights, lot sizes, etc.). If standards are not specifically proposed, then the applicable standards in the Light Industrial (I-I) district, together with the screening and buffer requirements, shall apply.”
- 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 include: self-storage warehouses, vehicle sales lots (new or used), automobile repair and maintenance, commercial outdoor recreation, car wash, and outdoor storage.
- Per §17.420.050.D.2.a, a ten-foot wide landscape strip is required along each street frontage, continuous along the frontage except for perpendicular crossings for driveways and utilities.
  - This is not depicted on the applicant’s submitted site plan; this condition **is not met**.
- Per §17.420.050.D.4.d, all outdoor storage shall be screened from view from public streets and adjacent property by a permanent opaque enclosure consisting of a minimum eight-foot high solid fence or wall.
  - The applicant is requesting the following variance to this condition:  
Allow the outside storage of raw materials, finished materials and flat-bed or box trailers and semi-trucks for the transportation of goods.
- Per §17.420.050.C.2.C, the transitional buffers where an industrial zoning district abuts property zoned for residential or agricultural use shall be no less than 50 feet and shall be placed along the inside property line of the non-residential property.
  - The applicant is proposing a 50 foot buffer along the perimeter of the property; this **meets** the standard.
- Per §17.420.050.E.4.A, each parking area over 50 spaces shall include landscaped islands within the parking area equivalent to not less than five to ten percent with planning director discretion of the total paved area of the parking lot.
  - The narrative and/or site plan does not show landscape islands within the parking area, this **does not meet** the standard.
- Building materials for all four sides of a new building are restricted to the following: brick, stone, and glass or glass block. Up to 50% of the surface area of each side may be stucco, and up to 50% of the surface area of each side of a principal building may be split-face block/concrete masonry unit. *Concrete block, painted concrete block, tilt-up and pre-cast concrete are not allowed.*
  - The applicant is requesting the following variances to this condition:  
Allowance of exterior walls to be constructed of tilt-up or pre-stress concrete wall

panels. With review and design approval of the Planning Director, the exterior design will incorporate a combination of reveals or other design features in the wall panels to avoid a straight, flat wall appearance; also, allow exterior walls of the buildings to be insulated metal panels of the type specifically used in the construction of cold storage or freezer facilities.

- Per §17.420.050.H.3, roof materials for pitched roofs shall be limited to architectural grade composition shingles, natural slate, natural terra cotta, natural wood shake, or factory finished metal with standing seams.
  - The applicant is requesting the following variances to this condition:  
Allow standing seam architectural metal roof panels (with colors approved by the Planning Director) and white Thermoplastic polyolefin materials, commonly known as TPO roof systems; also, allow rooftop HVAC units or other rooftop equipment to be installed without screening, if the equipment is not visible from GA-365.
- Per §17.420.050.F.1 outdoor lighting shall be provided on all public streets and parking lots.
  - The applicant is requesting the following variance to this condition:  
Allow the use of non-spill LED exterior lighting, whether pole-mounted or attached to the building or structures.
- §17.250.020A of the Official Code of Hall County lists the following minimum parking standards for the development:
  - Office, office building or studio: 3.5 spaces for each 1,000 square feet of gross floor area (§17.250.20A)
  - Warehousing: 1 space for each 2 employees (§17.250.20A)
  - Industrial uses: 1.6 spaces for each 1,000 square feet of gross floor area (§17.250.20A)
    - The applicant states that proposed parking will be based upon user needs, but not to exceed the maximum impervious area; it is **unclear** if this condition is met.
- §17.420.060 of the Official Code of Hall County lists the following sign standards for the development: Internally illuminated signs, automatic changeable copy signs, and externally mounted neon signs are prohibited. One ground mounted, monument sign shall be permitted on each lot, with a maximum sign area of 96 square feet and maximum height of 12 feet above street grade.
  - The applicant is requesting the following variance to this condition:  
The allowance of a primary monument sign, at main entrance into the Property, with dimensions of maximum square footage the code will allow, based upon the projected maximum build-out of 490,000 square feet, which could incorporate multiple company names located within the Property. The allowance of a monument sign to be “halo” or back-lit type of lighting. The allowance of signs in the front yard area of each individual building, with dimensions of the maximum square footage that the code will allow, based upon the ultimate projected build-out of the building. The number of directional signage within the Property shall be allowed as needed. The allowance of the use of “halo” or back-lit type of lighting on individual buildings’ signs or on individual buildings.
- §17.420.050.H.1.b of the Official Code of Hall County limits the maximum building height for non-residential buildings to no more than three stories.
  - The applicant is requesting the following variance to this condition:  
Maximum building height of 50 feet.
- No traffic study was submitted as part of the application. All access to the property from Cornelia Highway will be reviewed and permitted by GDOT.

- §17.350.100. of the Official Code of Hall County provides the conditions for additional parking on other than principal lot.
  - The applicant is requesting a variance to these conditions.

### **Staff Recommendation**

Staff recommends **denial** of the applicant's request. However, if the board sees fit to approve, staff recommends that the following conditions shall apply:

1. The development shall conform substantially with the proposed narrative, modified as necessary for compliance with current development standards at time of application. Building layout and orientation may shift, but the maximum thresholds and uses outline in the project narrative and on the site plan.
2. All future development shall be subject to all standards set forth by the Gateway Corridor Overlay District; no variances to these standards shall be approved.
3. All access off Cornelia Highway shall be approved and permitted by GDOT.
4. Any outdoor storage shall be screened in accordance with §17.260.020 of the Official Code of Hall County.
5. All mechanical services shall be conducted within a garage bay.
6. Elevations depicting the proposed building shall be submitted to the Planning Department for approval of the director during the Development Review process. No building permit shall be issued for the development without the approval of said elevations.
7. All conditions of zoning be made a part of any plat recorded for this property.

### **Excerpts from the minutes of the December 6, 2021 Planning Commission meeting:**

**Beth Garmon, Principal Planner**, presented a summary of the request.

**Chris Patton, 419 Bradford Street**, presented the request. Agrees with all staff recommendations. Wants clarity on condition two related to the Gateway Corridor standards. They would like to vary two items. All other conditions they agree with. They do have a letter from the City of Gainesville water department that they will extend water up to the site. Following the public forum, the applicant stated: All access would be off SR 365. No road access to Mud Creek Road. The water wells are usually not contaminated with land disturbance and is done in accordance with storm water guidelines. The site would be contained by fences. There was a proposed 50 foot buffer around the property. These undisturbed buffers (existing trees) could increase. The only area that is close to buffers is on the main drive on the north east side. The building site would be away from streams. There is some light industrial zoning south of property. This development would bring a 12,600 linear foot, 24 inch water main to the area, which would be an advantage to others in the area. This is a cost that the developer would incur around \$100,000. Would entertain increasing buffers on the north, east, and west sides of property to 75 feet. The purchaser of property will be owner occupied. He will be developing the middle of the property. For the next 15-20 years it looks like one building in the middle of the property.

### **Public Forum:**

**Heather Faulkner, 7985 Mud Creek Road, Alto**, spoke in opposition. Concerns were traffic,



land taxes, city water, industrial effects on well water, noise, trees, barrier and operating hours.

**Bobby Miller, 6051 Lula Road, Lula**, spoke in opposition. Concerns were water, truck traffic in a random place, no utilities, no road connections and storage of shipping containers. Wife owns property on the west and south side of subject property.

**Bradley Raper, 7575 Tripple Gap Road, Alto**, spoke in opposition. Concerns were rural character of area and view of warehouse from front of his property.

**Marsha Youngblood Black, 7935 Mud Creek Road, Alto**, spoke in opposition. Concerns were traffic being dangerous for children, truck traffic, strangers, possible sex trafficking, noise, lights and views of warehouse after trees are cut.

**James Youngblood, 7980 Mud Creek Road, Alto**, spoke in opposition. Concerns were traffic and accidents.

**Planning Commission Comments:**

Ms. Pilcher questioned if they would accept a 75 foot buffer on the north, west and east sides of the property. Mr. Patton agreed.

Mr. Hunt suggested add an 8 foot fence required by the gateway corridor, surrounding any raw material, finished material, flatbed, box trailers, or semi-trucks (fencing around the individual lot of the building where material is stored).

**Motion: Ms. Pilcher made a motion to approve with the conditions listed below. The motion was seconded by Mr. Varner. The motion passed with a 3-0 vote.**

***Conditions:***

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- k. Parking Ratio – Based upon user needs but not to exceed maximum impervious area*
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