

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Ramar Land Corporation

Request Amend conditions of zoning

Proposed Use Truck terminal, repair garage, and office space

Size 36.33± acres

Zoning PID

Location On the north side of Athens Highway approximately 1,986 feet from its intersection with A L Mangum Road; a.k.a. 3307 and 3333 Athens Highway; Tax Parcels 15014 000033 and 000033A.

Commission District Three

Planning Commission Date December 20, 2021

Staff Recommendation **Denial**

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

Conditions:

1. *The proposed development shall conform substantially with the proposed narrative, site plan and variances below. Building layout and orientation may shift, but the maximum thresholds and uses outlined in the project narrative and on the site plan shall apply.*
 - a. *Allow exterior walls of the buildings to be pre-engineered metal building, EIFS, and stucco. Front and 50 feet along both sides of office shall be EIFS or stucco. Maintenance shop front shall be EIFS or stucco.*
 - b. *Allow standing seam or architectural metal roof panels on all building structures except for gas canopy, with colors approved by the Planning Director.*
 - c. *Roof-top HVAC units to be shall be installed with screening along front of building and side adjacent to elementary school.*

- d. *Allow a primary pylon sign, at main entrance into the property, with dimensions of what maximum sq. ft. the code will allow, based upon the projected maximum build-out of 230,000 SF.*
 - e. *Allow the pylon sign to use of the "Halo" or back-lit type.*
 - f. *Allow the use of LED exterior lighting, whether pole mounted or attached the building or structures.*
 - g. *Allow a 30' front building setback from property line.*
 - h. *Employee parking areas will meet Gateway Corridor Overlay landscape requirements.*
 - i. *Allow more than 125 percent of the minimum allowable parking spaces.*
 - j. *Applicant shall install a 12' high composite wall on western boundary along left side curb of truck parking.*
 - k. *A 50' buffer shall be placed along the exterior boundaries, except for the side of property facing Athens Highway.*
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 the Planning Commission and Board of Commissioners.*
 3. *All access off Athens 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.*

Applicant Proposal

The applicant is requesting to amend the previous zoning conditions of an existing Planned Industrial Development (PID) for purposes of developing a truck terminal that will serve as a regional hub. The applicant proposes a truck terminal measuring 176,200 square feet which includes approximately 262 docks. The facility will also include tractor/trailer parking, a 15,400 square foot truck wash, a 12-bay/30,600 square foot maintenance shop, and a 5,000 square foot administrative office as depicted on the site plan. The applicant also requests the flexibility to adjust the site plan as needed to meet specific use requirements.

The application acknowledges that the property falls within the Gateway Corridors Overlay District, and requests the following variances from those standards:

- Allow exterior walls of the buildings to be pre-engineered metal building, EIFS, and stucco. See Title 17, Ch. 17.420.050 H.
- 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. See Title 17, Ch. 17.420.050 H.
- Allow standing seam or architectural metal roof panels, with colors approved by the Planning Director. See Title 17, Ch. 17.420.050 H.

- Allow roof-top HVAC units to be installed without screening. See Title 17, Ch. 17.420.050 D.
- Allow additional parking of passenger vehicles and box trailers on other than the principal lot. See Title 17, Ch. 17.420.050 E.
- Allow a primary pylon sign, at main entrance into the Property, with dimensions of what maximum sq. ft. the code will allow, based upon the projected maximum build-out of 400,000 SF, which could incorporate multiple company names located within the Property. See Title 17, Ch. 17.420.060.
- Allow the pylon sign to use of the "Halo" or back-lit type. See Title 17, Ch. 17.420.050 F.
- Allow signs in the front yard area of each individual building, with dimensions of what the maximum sq. ft. 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. See Title 17, Ch. 17.420.060.
- Allow the individual buildings signs to use of the "Halo" or back-lit type. See Title 17, Ch. 17.420.050 F.
- Allow the use of LED exterior lighting, whether pole mounted or attached the building or structures. See Title 17, Ch. 17.420.050 F.
- Allow an LED message board sign visible from the right-of-way. See Title 17, Ch. 17.420.050 F.
- Allow a 30' front building setback from property line. See Title 17, Ch. 17.240.010.
- Allow no parking lot landscape requirements for parking lot over 50 spaces. See Title 17, Ch. 17.420.050 E.
- Allow more than 125 percent of the minimum allowable parking spaces. See Title 17, Ch. 17.420.0500 E.

The applicant states that the proposed terminal would provide numerous permanent jobs, including administration, mechanics, dock workers, and drivers. The narrative describes the subject property as an ideal location for the requested use because Athens Highway is currently being widened as part of a Georgia Department of Transportation project and serves as a connection corridor between I-985 and I-85.

History and Existing Land Uses

The subject property consists of two tracts totaling approximately 36.33± acres. The property was approved for rezoning from Agricultural-Residential-IV (AR-IV) to Planned Industrial Development

(PID) for by the Board of Commissioners on August 14, 2008 with eight conditions of zoning listed below:

1. The development of the site shall occur as generally depicted and described in the concept plan and project narrative, modified as necessary for compliance with development standards in force at the time of site plan approval.
2. Development shall be limited to a maximum of 36,000 sq. ft. of office and/or retail and no more than 285,000 sq. ft. of industrial. The industrial park is limited to no more than 22 lots with a minimum Lot size of 1.25 acres.
3. Junk yards and adult establishments are prohibited.
4. The Applicant must connect to City of Gainesville water prior to building permits being issued.
5. All development shall meet Gateway Corridor Overlay District requirements section 17.420 of the Hall County Zoning Regulations.
6. Final driveway design and placement are subject to approval by the Hall County Engineering Department and/or the Georgia Department of Transportation.
7. Any access or adjacent intersection improvements required by the Hall County Engineering Department or the Georgia Department of Transportation are the financial responsibility of the Applicant / developer.
8. All conditions of zoning shall be made a part of any plat created for the property.

The proposed use of the 2008 rezoning request was for a 22-lot industrial park and 36,000 square feet of retail shopping center/office. Tax records show that on each tract is a single-family residence constructed in the 1960's. Both lots are wooded with some open areas. No development plans were submitted for the previously approved use.

Adjacent property is zoned Agricultural-Residential-IV (AR-IV), and is mostly agricultural. The property to the west is the location of Sugar Hill Elementary School. A 3.5 acre tract across Athens Highway is zoned PID for a mixed-use commercial and manufacturing development; the rezoning request was approved in 2008 and no development plans have been submitted to the county. Also across Athens Highway is property zoned Highway Business (H-B); the property is developed with a single-family residence, and no plans have been submitted to the county for the commercial development of the property.

Comprehensive Plan Land Use Designation

The Comprehensive Plan designates the future land use classification as "Rural," while Athens Highway is designated as a "Revitalization Corridor." The Rural land use category is characterized by agricultural uses and very low-density single-family residential uses. 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 intention of identifying areas as part of a Revitalization Corridor is to create a land use environment where compatible land uses can be located in close proximity to each other. These mixed-use areas should include or plan for a mixture of light industrial and office-based employment, retail activities, and institutional 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.

This request is inconsistent with the Comprehensive Plan. The current corridor has primarily been developed with large agricultural tracts in close proximity to the subject parcel. There have been no recent rezoning requests approved on adjacent parcels.

Development Support and Constraints

Hall County Environmental Health

In an email dated December 2, 2021 Emily McGahee stated that the applicant “must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Non-domestic wastewater treatment and disposal may be required to be permitted through EPD. Further determination will be made during the civil plan review process. A detailed business plan and detailed waste stream analysis (including flow) 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 Public Works and Utilities

In a memorandum dated December 7, 2021, Srikanth Yamala, Director of Public Works and Utilities, stated the following:

Engineering

There appears to be a stream on the N.E. corner of parcel. Show impervious (25') setback and remove parking area that encroaches.

Traffic Engineering

No comments.

Utilities

No sewer is available in the vicinity. Capacity has not been requested from Hall County.

Georgia Department of Transportation

In an email dated November 30, 2021, Parker J Niebauer, Traffic Operations Supervisor for GDOT District 1, confirmed that this project will require GDOT coordination.

Zoning Analysis

- The proposed use request is inconsistent with the Comprehensive Plan, as the subject property **does not meet** the character described within the “Revitalization Corridor” land use designation.
- In 2008, the property was rezoned with conditions to a Planned Industrial Development for an industrial park that included a commercial area.
- Per §17.180.090.B.2 of the Official Code of Hall County, 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 applicant has requested multiple variances to the recommended standards of the county code, including those within the Gateway Corridors Overlay District.
- 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.C, the applicability of transitional buffers designates where industrial zoning district abuts property zoned for residential or agricultural use, the minimum width of a transitional buffer shall be 50 feet.
 - The site plan proposes a 30 feet vegetated buffer for a majority of the property perimeter, which **does not meet** the minimum buffer width.
- 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.
 - The site plan shows that this condition **is met**.
- Per §17.420.050.D.4.b, rooftop mechanical equipment, including HVAC and utility equipment shall be screened from adjacent streets, sidewalks, residential, public and institutional uses. Screening shall consist of parapet walls or an opaque enclosure around the equipment that is constructed of one of the materials used on the primary facade of the principal structure.
 - The applicant requests to allow roof-top HVAC units to be installed without screening; this condition **is not met**.
- Per §17.420.050.E.1.b, the maximum number of parking spaces that may be constructed on impervious surfaces shall be no more than 125 percent of the minimum number of required parking spaces required in Chapter 17.250 of the Hall County Zoning Regulations.

- The applicant requests to allow more than 125 percent of the minimum allowable parking spaces; this condition **is not met**.
- Per §17.420.050.E, off-street parking shall be required as in Chapter 17.250 of the Hall County Zoning Regulations. Also, each parking area of 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, not including pervious paving surfaces. Landscaping in parking lots shall contain at least one shade tree (minimum of six feet tall and two inches caliper DBH at time of planting and 35 feet tall at maturity) for each 200 square feet of landscaping. Shade trees shall be planted in a bed of ground cover, sod and/or low shrubbery.
 - The applicant requests to allow additional parking of passenger vehicles and box trailers on other than the principal lot; this condition **is not met**.
 - The applicant requests that no parking lot landscape requirements be applied to the development; this condition **is not met**.
- Per §17.420.050.F.2, only incandescent, florescent, metal halide, low-pressure sodium, or color corrected, high-pressure sodium may be used. The same type of lighting must be used for the same or similar types of lighting on any one site.
 - The applicant requests to allow the use of LED exterior lighting, whether pole mounted or attached the building or structures; this condition **is not met**.
- Per §17.420.050.F.4, internally illuminated signs, automatic changeable copy signs, and externally mounted neon signs are prohibited. Signs may be illuminated with external lighting fixtures provided that fixtures are directed downward and away from streets and adjacent property and public streets. All lighting shall have recessed luminaries, or be semi-cutoff luminary fixtures.
 - The applicant requests to allow the use of an LED message board sign visible from the right-of-way, as well as to allow the use of "halo" or back-lit type signage; this condition **is not met**.
- Per §17.420.050.H, the use of a common palette of building materials should be maintained for all four sides of principal buildings to create a consistent and traditional architectural identity. For large commercial/retail buildings and multifamily buildings, variation in building materials, texture, and depth should be employed to provide design variation. Exposed concrete block, painted concrete block, metal, tilt/up and pre-cast concrete are prohibited materials for any exterior wall. 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 requests to allow exterior walls of the buildings to be pre-engineered metal building, EIFS, and stucco, as well as to 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; this condition **is not met**.
 - The applicant requests to allow standing seam or architectural metal roof panels, with colors approved by the Planning Director; this condition **is not met**.
- Per §17.420.060, one ground mounted, monument sign shall be permitted on each lot. Pole signs are prohibited. For all multi-tenant buildings or developments, a coordinated program of

wall signs shall be developed and approved by the county at the time of site plan approval. The signage master plan shall specific the sign type, design, height, colors, illumination, and other specifications to give a coordinated appearance to the building or development. The county's review and approval of the signage master plan shall be based on the compatibility of the proposed signage with the siting and architecture of the subject building or development and the compatibility of the signage with surrounding land uses.

- The applicant requests to allow a primary pylon sign, at main entrance into the Property, with dimensions of what maximum square foot the code will allow, based upon the projected maximum build-out of 400,000 SF, which could incorporate multiple company names located within the Property; this condition **is not met**.
- The applicant requests to allow signs in the front yard area of each individual building, with dimensions of what the maximum square foot 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, as well as allow the individual buildings' signs to be "halo" or back-lit type; this condition **is not met**.
- Per §17.240.040, no structure may be placed less than 100 feet from the center line of an arterial street.
 - The applicant requests to allow a 30' front building setback from property line; this condition **is not met**.

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:

8. 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 outlined in the project narrative and on the site plan shall apply.
9. 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.
10. All access off Athens Highway shall be approved and permitted by GDOT.
11. Any outdoor storage shall be screened in accordance with §17.260.020 of the Official Code of Hall County.
12. All mechanical services shall be conducted within a garage bay.
13. 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.
14. All conditions of zoning be made a part of any plat recorded for this property.

Excerpts from minutes of the meeting of December 20, 2021:

Background Information:

The applicant is requesting to amend the previous zoning conditions of an existing Planned Industrial Development (PID) for purposes of developing a truck terminal that will serve as a regional hub. The applicant proposes a truck terminal measuring 176,200 square feet which includes approximately 262 docks. The facility will also include tractor/trailer parking, a 15,400 square foot truck wash, a 12-bay/30,600 square foot maintenance shop, and a 5,000 square foot administrative office as depicted on the site plan. The applicant also requests the flexibility to adjust the site plan as needed to meet specific use requirements.

Applicant's Presentation:

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

Tyler Smith of Smith, Gilliam and Miles, 340 Jesse Jewell Parkway, Gainesville, presented the request. Ramar Land Corporation is an affiliate of RL Carriers. Goal is operate property as a trucking terminal. Discussed several of the proposed variances, buffers, parking, appearance of maintenance shop and available options to accommodate.

Stan Richards, 600 Gillam Road, Wilmington, Ohio, presented the request. Mr. Richards provided a history of the trucking company and the types of loads that would be carried. Photo renderings of the proposed site and other existing sites were shown. Applicant stated that the additional parking on the left side of the property is for 75-80 empty trailers. No overnight parking for connected trucks and trailers. Applicant stated that facility is a 24 hour facility. Trucks usually leave within a three hour window. Most truck traffic occurs between the hours of 8 and 11 am. There are around 150-200 employees on first and second shift. On third shift, there are around 15 employees. Offered to construct a 12 foot composite wall resembling stone or stucco material on the side of the property closest to the elementary school playground.

Eric Huffine, 1305 Mall of Georgia Boulevard, Suite 120, Buford, provided additional engineering information in reference to the western part of the property line. Discussed the parking area, buffer and elevation. Advised that the area is wooded, the site drains from the front to the back. The hill would be cut down and the structure will not tower over the property. The vegetation along the stream would not be disturbed, this will help with screening. Discussed retention pond and vegetative soils.

Public Forum:

Stephanie McHugh, 5309 Union Church Road, Flowery Branch, spoke in opposition. Concerns were the views that children at Sugar Hill Elementary would have while on the playground.

Planning Commission Comments:

Ms. Pilcher questioned the parking areas along the left side of the property and the number of spaces. Mr. Hunt questioned if the facility was a 24 hour facility and the number of employees. Ms. Pilcher questioned the elevation regarding the creek and parking spaces. Mr. Hunt stated that his concern is protecting the nearby school and also inquired about buffer required with a stream. Ms. Garmon advised no parking or buildings within 75 foot buffer of stream. Mr. Braswell acknowledged the applicant's willingness to modify site plan.

Motion: A motion was made by Mr. Hunt to approve with amended staff conditions and was seconded with Mr. Varner. Vote: 5-0.

Conditions:

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 - m. Allow standing seam or architectural metal roof panels on all building structures except for gas canopy, with colors approved by the Planning Director.*
 - n. Roof-top HVAC units to be shall be installed with screening along front of building and side adjacent to elementary school.*
 - o. Allow a primary pylon sign, at main entrance into the property, with dimensions of what maximum sq. ft. the code will allow, based upon the projected maximum build-out of 230,000 SF.*
 - p. Allow the pylon sign to use of the "Halo" or back-lit type.*
 - q. Allow the use of LED exterior lighting, whether pole mounted or attached the building or structures.*
 - r. Allow a 30' front building setback from property line.*
 - s. Employee parking areas will meet Gateway Corridor Overlay landscape requirements.*
 - t. Allow more than 125 percent of the minimum allowable parking spaces.*
 - u. Applicant shall install a 12' high composite wall on western boundary along left side curb of truck parking.*
 - v. A 50' buffer shall be placed along the exterior boundaries, except for the side of property facing Athens Highway.*
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 the Planning Commission and Board of Commissioners.*
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