

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant**..... LCL Holding, LLC

**Request**..... Rezone from Agricultural Residential-III (AR-III) to Light Industrial (I-I)

**Proposed Use**..... Trucking company and repair shop

**Size** ..... 6.5± acres

**Zoning** ..... AR-III

**Location** ..... On the east side of New Harvest Road  
approximately 227 feet from its intersection  
with Calvary Church Road; a.k.a. 1829 New  
Harvest Road; Tax Parcel 15031 000148

**Commission District**..... Four

**Planning Commission Date** ..... December 20, 2021

**Staff Recommendation**..... **Approval, with conditions**

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*This request was previously tabled at the November 15, 2021 Planning Commission meeting.*

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

**Vote: 5-0**

*Conditions:*

- 1. The development shall conform substantially with the proposed narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
- 2. Any outdoor storage shall be screened in accordance with §17.260.020 of the Official Code of Hall County.*
- 3. All mechanical services shall be conducted within a garage bay.*
- 4. All conditions of zoning shall be made part of any plat created for the property.*

**Applicant Proposal**

The applicant is requesting approval to rezone a 6.5± acre tract from Agricultural-Residential-III (AR-III) to Highway Business (H-B) for a proposed trucking business and repair shop. The applicant plans to develop the site with a two-story, 10,500 square foot office building that includes truck bays. Parking associated with the office shall be provided in front of the building while truck parking shall be accommodated to the rear. The proposed hours of operation 7:00 am – 5:00 pm, with overtime hours as needed.

The proposed building consists of a pre-engineered metal structure clad in masonry wainscoting, aluminum canopy, and aluminum framed windows. The site shall be landscaped attractively, as well as a 40 foot vegetated buffer maintained along the northern boundary where the property adjoins residential uses. Site lighting will be provided by non-spill LED fixtures on photocells. An on-site septic system will provide sanitary sewer management. A monument sign at the entrance would utilize similar building materials to match the building façade, and would not exceed 4 feet by 8 feet in size.

### **History and Existing Land Uses**

The subject property consists of 6.5± acres and is zoned Agricultural-Residential III (AR-III). The subject parcel is undeveloped and appears to exist of mostly open pasture and cleared areas. The property to the northwest is zoned Agricultural-Residential-III (AR-III) and is developed with a single-family residence. Adjacent properties to the north and south are within the city limits of Gainesville; the property to the north is undeveloped and the property to the south is developed with a warehouse/distribution business for fasteners. The property to the east is the location of the Hall County Correctional Institute (1698 Barber Road), which is separated from the subject property by a stream and associated buffers.

### **Comprehensive Plan Land Use Designation**

The subject property is located within the “Rural Residential” future land use designation. This land use category is characterized by low-density single-family residential uses with deep setbacks from the road, agriculture uses, and greenways and trails.

The proposed use is not consistent with the Comprehensive Plan. However, it is consistent with the existing character as the area is currently zoned and developed with industrial and non-residential uses.

### **Development Support and Constraints**

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

In an email received November 3, 2021 from Emily McGahee, Hall County Environmental Health: “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 subject property is located approximately 1.5 miles from Hall County Fire Station #7 located at 731 East Crescent Drive. The nearest fire hydrant is located approximately in front of the property at the intersection of Calvary Church Road and New Harvest Road.

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

In a memorandum dated November 5, 2021 Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

5-0

Engineering:

Existing gravel will need to be included in stormwater. The gravel was not permitted.

Traffic:

New Harvest Road is a City of Gainesville roadway and any work within the right-of-way will require permitting through the City.

Utilities:

No comment

Hall County Tax Assessors

No comment.

Gainesville Water Resources

The parcel has access to the City of Gainesville water system.

Georgia Department of Transportation

In an email dated November 2, 2021, Parker Niebauer, District 1 Traffic Operations Supervisor, provided the following comment: "No GDOT coordination required."

**Zoning Analysis**

- The request is inconsistent with the Comprehensive Plan. However, it is consistent with the existing character as the area is currently zoned and developed with industrial and non-residential uses.
- Per §17.160.010 – Light Industrial (I-I) – of the Official Code of Hall County, retail service establishments, automobile repair garages, offices, and wholesaling and warehousing as permitted uses within the I-I zoning district.
  - The proposed uses are permitted in this zoning classification.
- If approved, the proposed development would be subject to obtain a land disturbance permit as part of the development review process.
  - This review will ensure that local and state regulations are being met during the development of the site.
- The light industrial zoning classification does not have specific architectural design standards, permitting the proposed metal building.
- §17.260.020 of the Official Code of Hall County states that where an industrial use with no outside activity abuts residential use, the minimum buffer shall be 30 feet.
  - The applicant has indicated a 40 foot vegetated buffer along the boundary adjacent to a residentially-zoned property.

**Staff Recommendation**

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

1. The development shall conform substantially with the proposed narrative, modified as

- necessary for compliance with current development standards at time of site plan approval.
2. Any outdoor storage shall be screened in accordance with §17.260.020 of the Official Code of Hall County.
  3. All mechanical services shall be conducted within a garage bay.
  4. All conditions of zoning shall be made part of any plat created for the property.

#### **Excerpts from the minutes of the meeting on December 20, 2021**

**A motion was made by Ms. Pilcher to remove the item from the table. The motion was seconded by Mr. Hunt. Vote 5-0.**

#### **Background Information:**

The applicant is requesting approval to rezone a 6.5± acre tract from Agricultural-Residential-III (AR-III) to Highway Business (H-B) for a proposed trucking business and repair shop. The applicant plans to develop the site with a two-story, 10,500 square foot office building that includes truck bays. Parking associated with the office shall be provided in front of the building while truck parking shall be accommodated to the rear. The proposed hours of operation 7:00 am – 5:00 pm, with overtime hours as needed.

#### **Applicant's Presentation:**

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

**Aaron Conner, 6039 Old Daholnega Highway, Murrayville**, presented the request. Stated after the meeting last month, we gathered some preliminary renderings. We also provided elevation photos. The side views of the building will not be viewable from the road. There are no plans to take the pines or hedges down.

**Jay Wilhoite, 1046 Farmhouse Road, Gainesville**, presented the request. Stated that the renderings show the existing vegetation, brick is half way up the front side of the building, the side of the building and canopies. The existing site photos show vegetative buffers screening the neighbors from the buildings view. Stated there will be some metal on the sides of the building, referred to the photo renderings.

#### **Public Forum:**

No one spoke in favor or opposition of the request.

#### **Planning Commission Comments:**

Mr. Braswell questioned the placement of the brick on the building and the material which will be used on the sides of the building.

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

*Conditions:*

5. *The development shall conform substantially with the proposed narrative, modified as necessary for compliance with current development standards at time of site plan approval.*

6. *Any outdoor storage shall be screened in accordance with §17.260.020 of the Official Code of Hall County.*
7. *All mechanical services shall be conducted within a garage bay.*
8. *All conditions of zoning shall be made part of any plat created for the property.*