

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant D. Barrett Investment Properties, LLC

Request Rezone from Agricultural Residential-III (AR-III) and Residential (R-II) to Planned Commercial Development (PCD)

Proposed Use Climate controlled storage and medical office facility

Size 5.70± acres

Zoning AR-III and R-II

Location On the east side of Thompson Bridge Road approximately 684 feet from its intersection with Southers Road; a.k.a. 3654 Thompson Bridge Road; Tax Parcel 10104 000002

Commission District Two

Planning Commission Date June 21, 2021

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

Planning Commission Recommendation – Approval, with conditions
Vote: 4-0 (Varner absent)

Conditions:

1. *The development shall substantially conform to the submitted building elevations with colors approved by the Director of Planning and Development.*
2. *The building materials and architectural design shall be consistent with §17.420.050. subject to the following variances:*
 - 1.) *Applicant requests that the PCD allow the property to be divided into two parcels, one to hold the medical office building (Tract A) and the other to hold the storage facility (Tract B) as depicted on the site plan. If divided, Tract A will be approximately 1.31 acres and Tract B will be approximately 4.23 acres.*
 - 2.) *Hall County Ordinance 17.240.160 requires that lots abutting a divided four-lane highway have a minimum of 500 feet of frontage. The subject property has approximately 300 feet of frontage. Applicant requests a variance allowing this rezoning despite the property not having 500 feet of frontage. Applicant further requests that the variance allow for the lots to be divided as requested in the immediately preceding paragraph with the existing frontage. If divided, Tract A will have approximately 220 feet of frontage, and Tract B will have approximately 80 feet of frontage.*

- 3.) *The driveway into the property from Thompson Bridge Road (S.R. 60) will serve both the medical office building and the storage facility, for which the Applicant requests approval of a shared driveway easement. Applicant also shall request plans for interparcel access with the abutting Kroger shopping center site south of the subject property.*
- 4.) *Applicant shall requests approval of a shared easement for stormwater detention facilities to serve Tract A and Tract B.*
- 5.) *Applicant requests a variance from Hall County Ordinance 17.420.050.F.4 to allow up to two internally illuminated LED digital signs, with automatic change capacity, for the subject property, one for the medical office building and the other for the storage facility.*
- 6.) *Applicant requests approval of building materials consistent with the elevations provided with Applicant's rezoning and variance application. Applicant requests a variance from Hall County Ordinance 17.420.050.H.2 to allow use of materials displayed in elevations.*

Applicant Proposal

The applicant is requesting to rezone a 5.70± acre tract from Agricultural Residential-III (AR-III) and Residential (R-II) to Planned Commercial Development (PCD). The applicant's narrative states that this change in zoning is being requested in order to construct a medical office building on the front section of the property and a two-story climate-controlled self-storage facility on the rear portion of the property.

The applicant's site plan shows the proposed medical office building located at the front of the property, closest to Thompson Bridge Road on tract A. The proposed medical office building is a 15,000 square foot building and the site plan shows 75 parking spaces. The proposed location of the self-storage facility is to the rear of the property, furthest from Thompson Bridge Road on tract B. The narrative states that this building will not exceed 100,000 square feet and includes an office space and 3 customer parking spaces. The elevations included with the application show a two-story building for the self-storage facility. A 25-foot transitional buffer is shown along the northern and eastern boundaries of the subject property. The northern buffer has a note that it is not to be disturbed and the site plan shows supplemental plantings outside of the 25 foot buffer for screening, as the adjacent properties are developed with residential homes.

The property is located within the Gateway Corridors Overlay District (GCOD); self-storage facilities are designated as uses subject to county commission approval within the overlay district. The rezoning request includes the request of approval for this uses as well as variances from the architectural requirements within the GCOD. The requested variance seeks to allow portions of the proposed self-storage building exterior to be metal sided. The submitted elevations show a mixture of stacked stone, brick, and metal on the western, southern and northern facades. The eastern portion of the building – which faces the rear of the property – would be all metal with a brick water table. The medical office building appears to be a mixture of stacked stone siding and tilt-up cement siding, which is prohibited by the GCOD.

The GCOD also governs over signage requirements for commercial locations, and prohibits internal illumination. As a part of the rezoning request, the applicant is requesting approval for two (2) internally illuminated signs with automatic changeable copy capacity; one for the medical office building and the other for the self-storage facility.

The applicant proposes to subdivide the existing parcel into two separate tracts. Tract A would consist of 1.56 acres and Tract B would consist of 4.03 acres. The existing lot has a total of approximately 300 feet of road frontage. Allowing the lot to be subdivided further would require a variance from 500 road frontage requirements for 4 lane divide highways. It is difficult to determine the exact frontage for each tract based on the site plan. Access to the site is proposed to be shared access, as depicted on the site plan. The applicant also plans to utilize interparcel access with the adjacent Kroger shopping center south of the subject property.

History and Existing Land Uses

The subject property is approximately 5.70± acres and is zoned Agricultural Residential-III (AR-III) and Residential (R-II). It is developed with a single-family residence constructed in 1930 and a convenience store constructed in 1966. According to county records, the business license for the convenience store expired in 2007. In the middle of the property are two dilapidated poultry houses. The subject property is surrounded by Planned Commercial Development (PCD), Highway Business (H-B), and AR-III zoning districts.

A development known as Lanier Village Estates, zoned PCD, is located to the north and east of the subject property. This age-restricted development includes detached single-family cottages, as well as an assisted-living and memory care multi-story facility. The detached homes are in the areas immediately adjacent to the subject property. To the south of the subject property is a multi-tenant shopping center anchored by a Kroger grocery store. This development is also zoned PCD. A Wendy's fast-food restaurant occupies an outparcel to the south of the subject property, with frontage also along Thompson Bridge Road and a shared driveway with the Kroger shopping center.

Previously, the applicant submitted a similar rezoning request that was denied by the Hall County Board of Commissioners on August 26, 2021. Per the Official Code of Hall County (§17.380.130.E.), no application shall be filed until the expiration of at least six months immediately following the date of the denial, which ended on February 26, 2022. The previous rezoning request included a proposed car wash in the location of the medical office building in the original request. During the rezoning process the applicant changed the plans to replace the car wash with the medical office building.

Comprehensive Plan Land Use Designation

The future land use is located with an "Activity Center". The Comprehensive Plan characterizes activity centers as compact, walkable, higher density developments. These areas provide additional employment opportunities and support residential uses (e.g. townhomes, loft apartments, condominiums) that can contribute to a live-work environment but are not consistent with the rural or suburban development patterns found in much of the county. Future development should also emphasize high quality building and site design, including dedicated open/ civic space.

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

The applicant's request is consistent with the Comprehensive Plan.

Development Support and Constraints

Hall County Environmental Health

In an email dated March 25, 2022, Emily McGahee with Hall County Environmental Health stated “Public Sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.”

Hall County Fire Services

The subject parcel is located approximately 2.2 miles from Hall County Fire Station #16, located at 4209 Shirley Road. The nearest fire hydrant is located approximately 170 feet from the southeast corner of the subject property in the right-of-way along Thompson Bridge Road.

Hall County Public Works and Utilities

In a memo dated March 31, 2022, Bill Nash, Interim Director of Hall County Public Works and Utilities, provided the following comments:

Engineering

The 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. Must have easement for driveway entering Ingles property.

Traffic

GDOT driveway approval/permit required. Shared driveway agreement required for inter parcel driveway.

Utilities

No Hall County sewer.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

The Hall County GIS shows that public water and sewer is available to the subject property along Thompson Bridge Road from the City of Gainesville Water Resources Department.

Georgia Department of Transportation

In an email dated March 31, 2022, Parker Niebauer, DITO Traffic Operations Supervisor, stated that this project will require GDOT coordination

Zoning Analysis

- The applicant is requesting to rezone to a Planned Commercial Development (PCD) in order to develop a medical office building and self-storage facility.
- The subject property falls within an Activity Center on the future land use map. This land use designation supports compact, walkable, higher density development, as well employment opportunities and residential uses (e.g. townhomes, loft apartments, condominiums) that can contribute to a live-work environment but are not consistent with the rural or suburban development patterns found in much of the county

- The proposed use of medical office building and self-storage facility is consistent with this land use classification.
- In 2007, the Hall County Board of Commissioners adopted the Gateway Corridors Overlay District standards as part of the Official Code of Hall County. The GCOD governs non-residential property development standards.
 - A self-storage facility is a conditional uses subject to county commissioner approval within the Gateway Corridor Overlay District. By requesting to rezone the property to a PCD, the application addresses this approval requirement.
- §17.420.050.H. of the Official Code of Hall County provides detailed architectural standards for non-residential buildings, including the use of a common palette of building materials maintained for all sides of principal buildings.
 - Building materials used for all four sides of new or reconstructed buildings are restricted to the following: brick, stone, split-face block/concrete masonry unit (CMU, restricted to 50 percent of the surface area of each side of a principal building), stucco (restricted to 50 percent of the surface area of each side of a building), glass and glass block. Exposed metal is prohibited, as is exposed or painted concrete block and pre-cast concrete walls.
 - The applicant has requested a variance from this standard and is proposing that all elevations of the proposed self-storage building include metal. The proposed elevations show a mixture of stacked stone, brick, and metal on the western, southern and northern facades. The eastern facade of the building would be mostly metal siding with a brick water table. This **does not** meet GCOD standards.
 - The proposed medical office building appears to be constructed out of a mixture of stacked stone siding and tilt-up concrete. This **does not** meet GCOD standards.
- §17.420.060. of the Official Code of Hall County discusses sign standards for the Gateway Corridor Overlay district.
 - The narrative proposes two internally illuminated signs: one for the medical office building and the other for the self-storage facility.
 - Internal illumination is prohibited under the GCOD. This **does not** meet GCOD standards.
 - The maximum height of the sign and square footage of the sign face based upon gross floor area of the building:
 - 0—10,000 sq. ft. of gross floor area
 - 32 sq. ft. (each side)
 - 8 ft. above street grade
 - 10,001—50,000 sq. ft.
 - 48 sq. ft. (each side)
 - 8 ft. above street grade
 - 50,001—100,000 sq. ft.
 - 64 sq. ft. (each side)
 - 10 ft. above street grade
 - Over 100,000 sq. ft.
 - 96 sq. ft. (each side)
 - 12 ft. above street grade

- The applicant has not provided sign details showing height or sign area.
- §14.420.050.C.2 of the Official Code of Hall County states that the transitional buffer required for a commercial property abutting a residential property shall be 25 feet.
 - The applicant's narrative and site plan shows a 25-foot buffer where the property abuts residential uses; this condition **is met**.
- §17.240.160 of the Official Code of Hall County provides development standards for properties accessing divided four lane highways. The following conditions should apply:
 - property abutting and proposing access from a divided four-lane highway, regardless of zoning classification, shall be developed in conformance with the following minimum standards of frontage and access points:
 - Frontage:
 - Lots which are created after January 11, 1982, which abut a divided four-lane highway shall have a minimum of 500 feet of frontage abutting the four-lane divided highway; and
 - Access points.
 - One access point per lot may be permitted provided that approval from the Georgia Department of Transportation shall be required prior to the final approval and recording of a plat of the lot.
 - Additional access points may be approved by the planning commission upon a finding that:
 - The additional access is essential to the use of the property; and
 - Alternative access from another road, joint access with adjoining property or the construction of a frontage road is not feasible; and
 - Additional access would not be detrimental to existing or proposed uses in the area; and
 - The Georgia Department of Transportation will approve the proposed access; and
 - The existence or approval of access for residential or agricultural purposes does not obligate or require the county or the Georgia Department of Transportation to approve access for a change in use to non-residential or non-agricultural uses.
 - The applicant is requesting to vary the road frontage to less than 500 feet on tracts A and B. It cannot be determined the exact frontages for each tract based on the submitted materials.
 - Currently the subject property has approximately 300 feet total of road frontage.
 - A shared access point is shown on the site plan and described in the narrative.

Staff Recommendation

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

3. The development shall conform substantially with the proposed narrative, modified as necessary for compliance with current development standards at time of application.
4. The building materials and architectural design shall be consistent with §17.420.050. No variances to the building materials are approved as a part of this request.

Excerpts from the minutes of the meeting April 18, 2022

Applicant's Presentation:

David Webb, Principal Planner, presented a summary of the request.

Tyler Smith, 340 Jesse Jewell Parkway, Gainesville, presented the request. Mr. Smith stated that the last proposal which was rejected in 2021 was for a three story building but is now for a two story building. Mr. Smith stated that the climate controlled storage would be 4.2 acres. Mr. Smith stated that they have six variances which are the following: 1.) Applicant requests that the PCD allow the property to be divided into two parcels, one to hold the medical office building (Tract A) and the other to hold the storage facility (Tract B) as depicted on the site plan. If divided, Tract A will be approximately 1.31 acres and Tract B will be approximately 4.23 acres. 2.) Hall County Ordinance 17.240.160 requires that lots abutting a divided four-lane highway have a minimum of 500 feet of frontage. The subject property has approximately 300 feet of frontage. Applicant requests a variance allowing this rezoning despite the property not having 500 feet of frontage. Applicant further requests that the variance allow for the lots to be divided as requested in the immediately preceding paragraph with the existing frontage. If divided, Tract A will have approximately 220 feet of frontage, and Tract B will have approximately 80 feet of frontage. 3.) The driveway into the property from Thompson Bridge Road (S.R. 60) will serve both the medical office building and the storage facility, for which the Applicant requests approval of a shared driveway easement. Applicant also plans for interparcel access with the abutting Kroger shopping center site south of the subject property. 4.) Applicant requests approval of a shared easement for stormwater detention facilities to serve Tract A and Tract B. 5.) Applicant requests a variance from Hall County Ordinance 17.420.050.F.4 to allow up to two internally illuminated LED digital signs, with automatic change capacity, for the subject property, one for the medical office building and the other for the storage facility. 6.) Applicant requests approval of building materials consistent with the elevations provided with Applicant's rezoning and variance application. Applicant requests a variance from Hall County Ordinance 17.420.050.H.2 to allow use of materials displayed in elevations.

Dustin Barrett, 1744 South Lumpkin, Athens, presented the request.

Public Forum:

Augie Deaugustinis, 3743 Dove Circle, Gainesville, spoke in favor. He stated that the applicants accommodated to the nearby property owner's requests.

Kent Karmenis, 163 Camellia Court, Freeport, FL, spoke in favor. He stated that the developers have listened to their concerns and worked very well with them.

Planning Commission Comments:

Mr. Braswell questioned what the maximum height of the building will be. Mr. Barrett stated it would be 30.4 feet.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 4-0 (Varner absent)

Conditions:

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