

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant K5 Partners, LLC

Request..... Rezone from AR-IV and I-II to PID

Proposed Use Vehicle salvage operations

Size 119± acres

Location On the north side of Okelly Road at its terminus; a.k.a. 2400 Okelly Road; Tax Parcel 15024 000003A (pt.).

Commission District Three

County Commission Date August 1, 2022

Staff Recommendation **Approval, with conditions**

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

Conditions:

1. *The development shall conform substantially with the proposed narrative and site plan.*
2. *The developer shall construct a Hall County standard cul-de-sac to terminate O’Kelly Road. The applicant is to provide their property to dedicate any required right-of-way for the cul-de-sac and meet Hall County Standards. Any remaining public right-of-way must be abandoned.*
3. *No variances to the development shall be approved as a part of this request, other than the exemption from §17.280 and §17.260.*
4. *All conditions of zoning shall be made part of any plat created for the property.*
5. *All signage shall meet Hall county requirements.*

Applicant Proposal

The applicant is requesting to rezone approximately 119 acres from Agricultural Residential IV (AR-IV) and Heavy Industrial (I-II) to Planned Industrial Development (PID) for the purpose of redeveloping the property for the short term storage of salvaged vehicles. An existing business located at 1602 Athens Highway (US 129) will be relocated to this location.

Per the narrative submitted with the application, the operator of the business purchases salvageable vehicles from insurance companies and stores them on the site until they are purchased through an online auction process. Inventory is shipped and received on a daily basis

with approximately 10 to 20 shipping trips anticipated each day. Operation hours are proposed to be 7:00am – 7:00pm Monday through Saturday with up to 15 employees for the business.

The applicant has stated that a 35 foot external buffer will be imposed where the site adjoins a residential zoning district, specifically along the eastern and northern property lines. The applicant has stated that in the event the buffer is disturbed, it will be replanted per Hall County standards. Signage is proposed on O'Kelly Road, where the property borders both sides of the road, and lighting will be of a non-spill type.

Additionally, the applicants narrative requests exemption from §17.280 (Tree Protection) and §17.260 (Screening, Fencing, and Outdoor Storage Requirements) due to the nature of the business operations.

The submitted site plan shows a large graded gravel area with areas designated for storage of vehicles and drive aisles separating them. There are 20 proposed storage areas for the vehicles shown on the site plan, in addition to a 3,600 square foot building, 8,400 square foot office building, 25 parking spaces, and stormwater management facilities.

History and Existing Land Uses

On January 23, 2003, the Hall County Board of Commissioners approved a rezoning request from Agricultural Residential IV (AR-IV) to Heavy Industrial (I-II) for 8.34 acres of the subject property. The proposed use was for a warehouse and outdoor storage business for an adjacent factory located next door. It does not appear that the warehouse structures were ever constructed. There is no history of code violations on this parcel.

The surrounding zoning is a mixture of both residential and non-residential zonings. Along the Candler Road corridor, specifically along the eastern side of the roadway, there are a large number of non-residential, industrially zoned parcels. The western side of Candler Road is a mixture of agricultural and industrially zoned properties.

Comprehensive Plan Land Use Designation

The subject parcel is located within the "Rural Residential" land use designation and is adjacent to an "Employment Corridor" Character Areas of the Hall County Comprehensive Plan.

Rural Residential Areas are characterized by low-density single-family residential uses with deep setbacks from the road. Future development should continue to reflect lower density detached single-family residential uses, and neighborhood design should incorporate a high percentage of open space (i.e. 'Conservation Subdivision' design). Rural Residential Areas are generally located no northwestern Hall County, as well as portions of East Hall County and the Chestnut Mountain/Candler area. Future residential development is intended to accommodate densities that are higher than are appropriate for Rural Areas but less than the more densely developed areas classified as Residential.

The "Employment Corridor" has primary future land uses of industrial uses, business parks, and technology based operations.

The proposed use is consistent with the Comprehensive Plan.

Development Support and Constraints

Hall County Environmental Health

In an email dated July 7, 2022, Emily McGahee with Hall County Environmental Health, stated "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, existing septic system evaluation, or septic system installation/modification may be required after review of business plan. Tourist Accommodation permit/plan review and/or Food Service permit/plan review may be required after review of business plan. 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

In an email dated July 13, 2022, Lieutenant John Hornick with Hall County Fire Rescue, stated that there no preliminary comments.

The subject parcel is located approximately 1.6 miles from Hall County Fire Station #9, located at 5040 Poplar Springs Road. The nearest fire hydrant is located on the subject parcel.

Hall County Public Works and Utilities

In a memo dated July 14, 2022, Srikanth Yamala, 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.

Show all flood areas (FEMA and Hall County studied flood)

Show buffers from wrested vegetation, not from centerline of creek.

Traffic

Recommend requiring developer to construct a Hall County standard cul-de-sac to terminate O'Kelly Road. Developer to dedicate any required right-of-way for cul-de-sac. Any remaining public right-of-way must be abandoned.

Utilities

Gainesville sewer, septic indicated.

Gainesville Water Resources

Hall County GIS shows that public water is available to the subject property along both O'Kelly Road from the City of Gainesville Water Resources Department.

Georgia Department of Transportation

In an email dated July 13, 2022, Parker Niebauer, DITO Traffic Operations Supervisor, stated that this project would not require GDOT coordination.

Zoning Analysis

- The applicant is requesting to rezone the subject property to a Planned Industrial Development (PID) for the purpose of developing the property as a storage yard for the short term storage of salvaged vehicles.
- The subject property falls within the Rural Residential character area and is adjacent to an Employment Corridor along Candler Road.
 - The Rural Residential Areas are characterized by low-density single-family residential uses with deep setbacks from the road. Future development should continue to reflect lower density detached single-family residential uses, and neighborhood design should incorporate a high percentage of open space (i.e. 'Conservation Subdivision' design). ○ The "Employment Corridor" has primary future land uses of industrial uses, business parks, and technology based operations.
 - The proposed use is consistent with the Comprehensive Plan.
- The applicant has requested to be exempt from the requirements of §17.260 (Screening, Fencing, and Outdoor Storage Requirements) and §17.280 (Tree Protection) due to the nature of the business.
 - §17.260 states that "where an industrial use with outside activity abuts residential use, the minimum buffer shall be 50 feet"
 - §17.280 details the requirements for tree protection for non-single-family residential developments.
- The applicant has stated that a sign is proposed for the development. Since the applicant has not provided signage information for the PID, the standards will default to the Light-Industrial standards (§17.180.090).
 - 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 based on the proposed buildings, the maximum size of the sign is 48 square feet with a height of 8 feet above street grade.

Staff Recommendations

Staff recommends **denial** of the requested variances from §17.260 (Screening, Fencing, and Outdoor Storage Requirements) and §17.280 (Tree Protection).

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

1. The development shall conform substantially with the proposed narrative and site plan, modified as necessary for compliance with current development standards at time of application.
2. The developer shall construct a Hall County standard cul-de-sac to terminate O'Kelly Road. The developer shall dedicate any required right-of-way for the cul-de-sac. Any remaining public right-of-way must be abandoned.
3. No variances to the development are approved as a part of this request.
4. All conditions of zoning shall be made part of any plat created for the property.

Excerpts from the minutes of the August 1, 2022 meeting

Note: Mr. Braswell recused himself from item #6 and left the meeting room.

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Bradley Duncel, 425 Oak Street, Gainesville, presented the request. The applicant presented street pictures with elevations of the road to show that it is not visible from Candler Road. The applicant requested a variance for the tree, storage, and screening ordinances.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Hunt questioned if the site where the cars are stored and access for equipment would be gravel. The applicant stated it would be. Mr. Hunt stated that the cul-de-sac would have to be built along the property of the applicant but will have to be coordinated with engineering.

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

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