



HALL COUNTY PLANNING COMMISSION
MINUTES OF JULY 19, 2021

The regular meeting of the Hall County Planning Commission was held in the 2nd Floor Meeting Room, Hall County Government Center, 2875 Browns Bridge Road, Gainesville, Georgia.

Members Present: Chris Braswell, Chairman, Stan Hunt, Gina Pilcher, Johnny Varner, and Trey Bell

Staff Present: Sarah McQuade, Director of Planning; Beth Garmon, Principal Planner; Laura Ogletree, Clerk

Call to Order: The meeting was called to order by the Chairman at 5:21pm.

Approval of Minutes: July 6, 2021

OLD BUSINESS

1. Previously tabled application of Cagle Rd, LLC for a Use Subject to County Commission approval on 31.50± acres located on the south side of Cagle Road across from its intersection with Oak Lake Drive; a.k.a. 0, 0, and 4258 Cagle Road, Zoned AR-III; Tax Parcels 09098 000007, 000008, and 000002. Proposed Use: sawmill, lumberyard, wood boiler, and biofuel plant. Commission District 3.

Motion: *Ms. Pilcher made a motion to remove the request from the table, with a second from Mr. Hunt and the motion passed by a 5-0 vote.*

Background Information:

The applicant is requesting use subject to Board of Commissioners approval on an assemblage of three parcels totaling 31.5± acres. The proposed use of a sawmill, lumberyard, wood boiler and biofuel plant. The same applicant has also submitted a request to rezone the 31.50 acres to Heavy Industrial (I-II), as required by the Official Code of Hall County for the proposed uses.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request. Ms. McQuade stated that the applicant had requested to withdraw this request.

Motion: *Mr. Hunt made a motion to withdraw the request, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

2. **Previously tabled application of Cagle Rd, LLC to rezone from Agricultural Residential-III (AR-III) to Heavy Industrial (I-II) on 31.50± acres located on the south side of Cagle Road across from its intersection with Oak Lake Drive; a.k.a. 0, 0, and 4258 Cagle Road, Zoned AR-III; Tax Parcels 09098 000007, 000008, and 000002. Proposed Use: sawmill, lumberyard, wood boiler, and biofuel plant. Commission District 3.**

Motion: *Ms. Pilcher made a motion to remove the request from the table, with a second from Mr. Hunt and the motion passed by a 5-0 vote.*

Background Information:

The applicant is requesting to rezone an assemblage of three parcels totaling 31.5± acres from Agricultural-Residential-III (AR-III) to Heavy Industrial (I-II) for the proposed use of a sawmill, lumberyard, wood boiler and biofuel plant. The same applicant has also submitted a request for a use subject to County Commission approval for approval of these uses, as required by the Official Code of Hall County.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request. Ms. McQuade stated that the applicant had requested to withdraw their request.

Motion: *Mr. Hunt made a motion to withdraw the request, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

3. **Previously tabled application of Northeast Georgia Health System, Inc. (NGHS) to rezone from Planned Commercial Development (PCD) and Planned Office Development (POD) to Planned Office Development (POD) and to amend conditions of a Planned Office Development (POD) on a 119.16± acre tract located on the north side of Friendship Road approximately 1680 feet from its intersection with Old Winder Highway; a.k.a. 1400 & 1515 River Place; Zoned POD & PCD; Tax Parcels 15039 000465 & 000592. Proposed Use: amend parking requirements. Commission District 1.**

Motion: *Ms. Pilcher made a motion to remove the request from the table, with a second from Mr. Hunt and the motion passed by a 5-0 vote.*

Background Information:

The applicant is requesting to amend existing conditions for an existing Planned Office Development (POD) in order to reduce the parking requirements for the development. The narrative states that the Applicant/Owner of the property has monitored the parking since the initial development of the campus in 2008, and found that a significant portion remains unused. "Approval of this request will allow future development to use adjacent unused parking spaces and limit the amount of future paved areas required to support the development of the adjacent second MOB [Medical Office Building]." The narrative also states

that the change in parking regulations will make the requirements more consistent with the county code regarding off-street parking. The applicant notes that other benefits to the reduced parking requirements would allow for enhanced opportunities for greenspace, as well as reducing the amount of impervious construction and its impact on stormwater runoff.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Emily Bagwell, PO Box 183, Clermont, presented the request. Ms. Bagwell stated that she did not have any additional comments to add to Ms. McQuade's request and could answer any questions the Planning Commission might have.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: Mr. Hunt made a motion to recommend approval, with conditions for the request, with a second from Mr. Varner and the motion passed by a 5-0 vote.

Conditions:

1. *The development shall conform substantially with the proposed site plan and narrative, including previous rezoning actions, modified as necessary for compliance with current development standards at time of site plan approval.*
2. *Any additional access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.*
3. *All conditions of zoning shall be made part of any plat created for the property.*

NEW BUSINESS

4. **Application of Ronald Gay for a rear yard setback variance from 25 feet to 15 feet on a 0.68± acre tract located on the east side of Arthur Miller Road 900± feet from its intersection with Old Cornelia Highway; a.k.a. 4157 Arthur Miller Road; Zoned AR-IV; Tax Parcel 15018 000181. Proposed Use: construct a single-family residence. Commission District 3.**

Background Information:

The applicant is requesting to vary the rear yard setback from 25 feet to 15 feet on a 0.68± acre tract in order to construct a single-family residence. In the statement of hardship, the applicant explains that the irregular shape of the lot makes construction of the home plan they have selected impossible.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Ronald Gay, 425 Leamington Lane, Macon, presented the request. Mr. Gay stated that he did not have any additional comments to add to Ms. McQuade's summary. Mr. Braswell asked Mr. Gay if he had seen the staff conditions. Mr. Gay stated that he had and he was agreeable to them. Mr. Braswell stated that he would like to add Hall County's agricultural statement as an additional condition. Mr. Gay stated that would be fine.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: *Mr. Hunt made a motion to approve, with conditions for the request, with a second from Mr. Varner and the motion passed by a 5-0 vote.*

Conditions:

1. *No further reduction of the rear setback on this property shall be considered or approved.*
2. *The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:*
"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

5. **Application of Emiliano Arroyo Calvo a Use Subject to Planning Commission approval on a 0.36± acre tract located on the west side of Browns Bridge Avenue approximately 320 feet from its intersection with Carter Street; a.k.a. 1507 Browns Bridge Road; Zoned O-I; Tax Parcel 00123 007020A. Proposed Use: expansion of a non-conforming use – enclose existing carport for residential purposes. Commission District 4.**

Background Information:

The applicant has submitted a request for the expansion of a non-conforming use of the property as they wish to enclose the carport of an existing residence on a commercial-zoned property. The property is only 0.36 acres and cannot be rezoned to a residential zoning classification, as it is smaller than the minimum lot size requirements. The continuation or expansion of a non-conforming use is subject to the approval of the Planning Commission.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request. Ms. McQuade stated that this request would be tabled to the August 2, 2021 Planning Commission meeting due to the applicant not meeting their public notification requirement.

Motion: *Mr. Bell made a motion to table the request to the August 2, 2021 Planning Commission meeting, with a second from Mr. Varner and the motion passed by a 5-0 vote.*

6. Application of Sergio Felix/Conde Properties, LLC a Use Subject to Planning Commission approval on a 0.47± acre tract located on the east side of Dorsey Circle approximately 445 feet from its intersection with Dorsey Drive; a.k.a. 3623 Dorsey Circle; Zoned AR-III; Tax Parcel 08034 002014. Proposed Use: expansion of a non-conforming use –two residences on one parcel. Commission District 2.

Background Information:

The applicant is requesting the Planning Commission's approval of the expansion of a non-conforming use. The subject property is developed with two single-family residences, one is a site built home constructed in 2001 and the other is a 1985 doublewide manufactured home. The applicant has requested to upgrade or renovate the manufactured home; such action must be approved by the Planning commission as the Official Code of Hall County limits the number of residences per lot to only one in this zoning district.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Greg Loyd, 421 Ridgewood Avenue, Gainesville, presented the request. Mr. Loyd stated that he was the applicant's general construction. Mr. Loyd stated that the applicant bought this property in order to update and improve it. He stated that the applicant was unaware that the property was nonconforming when they purchased it. Mr. Loyd stated that in 2001, there was a condition added for the property that the mobile home be removed. He stated that the mobile home had never been removed and now it has been improved and rented out for the last 20 years. He stated that the applicant believe that the mobile home should be grandfathered in and be allowed to stay on the property. Mr. Loyd stated that the applicant was not planning on changing anything with the current property, they were only planning to rent the mobile home out. Mr. Braswell asked if the property was on sewer. Mr. Loyd stated that it was on septic. Mr. Loyd stated that the applicant knew that there was a problem with the septic in the past and that they would have to work with Environmental Health if the request was approved.

Public Forum:

No one spoke in favor or opposition of the request.

Planning Commission Comments:

Mr. Braswell stated that it was clear what should have been done and the mobile home should have been removed back in 2001. Mr. Hunt asked staff if the current construction on the property had been permitted. Ms. McQuade stated that they had not yet permitted anything, however there are some things that do not require a permit.

Motion: *Mr. Hunt made a motion to deny the request, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

7. **Application of Provident Partners 129, LLC to rezone from Agricultural Residential-IV (AR-IV) to Light Industrial (I-I) on a 66.85± acre tract located on the south side of Athens Highway at its intersection with Roy Parks Road; a.k.a. 3104 Athens Highway; Zoned AR-IV; Tax Parcel 15024 000227. Proposed Use: distribution warehouse. Commission District 3.**

Background Information:

The applicant is requesting to rezone the subject property from Agricultural-Residential-IV (AR-IV) to Planned Industrial Development (PID) for warehouse and distribution facilities. The proposed facility will include three (3) buildings of various sizes totaling to 380,000 square feet in area. The warehouses will facilitate the distribution of dry goods and possibly food-grade and general commodities, but not refrigerated or frozen goods. The proposed design of the buildings include tilt-wall concrete and cross docks with truck courts, as well as reveals and clerestory windows to enhance the building's aesthetic.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request. Ms. McQuade stated that this request would be tabled to the August 2, 2021 Planning Commission meeting due to the applicant not meeting their public notification requirement.

Motion: *Mr. Varner made a motion to table the request to the August 2, 2021 Planning Commission meeting, with a second from Mr. Bell and the motion passed by a 5-0 vote.*

8. **Application of Maroum Aoun to rezone from Agricultural Residential-III (AR-III) to Planned Office Development (POD) on a 7.51± acre tract located on the west side of Winder Highway approximately 880 feet from its intersection with Martin Road; a.k.a. 4240 Winder Highway, Zoned AR-III; Tax Parcel 15044B000009. Proposed Use: daycare center. Commission District 1.**

Background Information:

The applicant is requesting to rezone a 7.51± acre tract zoned Agricultural Residential-III (AR-III) to Planned Office Development (POD) to for use as a daycare center. The property is currently being used as a church, which will remain, and is considered a permitted use within the AR-III zoning district.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request. Ms. McQuade stated that this request would be tabled to the August 2, 2021 Planning Commission meeting due to the applicant not meeting their public notification requirement.

Motion: *Mr. Bell made a motion to table the request to the August 2, 2021 Planning Commission meeting, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

9. Application of GA Lula Cornelia Hwy, LLC to rezone from Agricultural Residential-III (AR-III) to Planned Industrial Development (PID) on 79.70± acres located on the north side of Cornelia Highway approximately 4,700 feet from its intersection with Cagle Road, a.k.a. 3835 and 3875 Cornelia Highway, Zoned AR-III and I-I; Tax Parcels 15007 000095A and 000276. Proposed Use: office and warehouse. Commission District 3.

Background Information:

The applicant is seeking to rezone two adjacent parcels totaling 79.7± acres parcel from Light Industrial (I-I) and Agricultural-Residential-III (AR-III) to Planned Industrial Development (PID) for development as cold storage warehouse facility. According to the submitted narrative, the overall development will not cover more than twenty-five (25) percent of the lot with impervious area, and proposes a 600' setback from the centerline of Cornelia Highway/State Route 365, which along with preservation of the existing vegetation, would serve as a visual buffer between the right-of-way and the development.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Alex Brock, 1230 Peachtree Street, Atlanta, presented the request. Mr. Brock stated that they were hoping to rezone for a cold storage facility. He stated that the two parcels were zoned differently and the all the what they were requesting would take place on the parcel zoned Light Industrial. He stated that staff recommended rezoning rather than seek variances for the Gateway Corridor Overlay. He stated that they were requesting a 331,872 square foot, cold storage warehouse facility. He stated that total square footage would include office space for their employees. Mr. Brock stated that there would be 110 parking spaces on site, which would include spaces for trucks waiting to load and unload. He stated that the building was located over 600 feet from the centerline of Cornelia Highway and surrounded by AR-III and PID zoned parcels. Mr. Brock stated that they were proposing a curb cut onto Cornelia Highway and they were currently in discussion with GDOT and working with them on the design. He stated that the average number of trips 139 am trips and 149 pm trips, with 25-50 of those trips being trucks coming and going to the facility, which the facility would be able to handle. Mr. Brock stated they were only proposing 25% impervious over the entire property. He stated that much of that would come from the vacant 28-acre tract, which contained wetlands and stream buffers. He stated that parcel would not be developed. Mr. Brock stated that they had seen the staff conditions and were agreeable to them. Mr. Braswell asked if the on the site plan, the front left corner would be were the offices would be located. Mr. Brock stated that was correct. Mr. Braswell asked about the building material for the office portion. Mr. Brock stated that the building materials could be accommodated for; however, the insulated panels would still need to be used for the rest of the building.

Public Forum:

Leslie Johnson, 5479 Fishermans Cove, Gainesville, spoke in favor of the request. Mr. Johnson stated that he believed this was a great project and would be an asset to the community. He also stated that he appreciated the undisturbed wetland area on the vacant property.

Planning Commission Comments:

Mr. Braswell stated that he would a condition to be added to have the building materials approved by the Planning Director for the office portion of the building.

Motion: Mr. Hunt made a motion to recommend approval, with conditions for the request, with a second from Mr. Bell and the motion passed by a 5-0 vote.

Conditions:

1. *Development shall generally occur in conformance with the submitted site plan and narrative.*
2. *All improvements shall comply with county and state regulations at time of development.*
3. *The developer shall work with Georgia Department of Transportation to permit driveways on Cornelia Highway.*
4. *All conditions of zoning shall be made part of any plats of the property.*
5. *All structures which are not part of the cold storage facility shall meet the Gateway Corridors Overlay District (GCOD) standards.*
6. *All building materials and colors shall be approved by the Planning Director prior to the issuance of any building permits.*

10. Application of Jason Jackson to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 3.804± acre tract located on the east side of Green Road approximately 265 feet from its intersection with Holiday Road; a.k.a. 5697 Green Road; Zoned AR-III; Tax Parcel 07329 004016. Proposed Use: 5-lot subdivision. Commission District 1.

Background Information:

The applicant is requesting to rezone a property from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) for the purpose of developing a 5-lot subdivision. The proposed lot sizes measure from 28,500 to 39,000 square feet (0.65-0.895 acres). The proposed homes would range in size from 2,400 to 3,000 square feet, and will feature architectural shingles and cement siding with brick accents. Lots will be served by public water and include individual on-site septic systems. The applicant has stated that all access to the homes will be from Green Road, and a 10 undisturbed buffer will be maintained along the northern and southern property lines.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Dustin Sadeghy, 2244 Shoal Creek Road, Buford, presented the request. Mr. Sadeghy stated that he met with planning staff last year to try to find an adequate zoning for dividing the property. He stated that they recommended a PRD, which is what he was asking for. He showed the Planning Commission a few elevations. Mr. Sadeghy stated that he had tried to incorporate side entry garages, however due to the amount of frontage, he would not be able to. He stated that he had originally planned to build 2,500-3,000 square foot homes but with the current economy he believed he needed to build bigger. He stated that he had spoken with the neighbor on the north end of the property and agreed to add a buffer either on his side of the fence or theirs. Mr. Sadeghy stated that the property on the south end was zoned Highway Business and there would be a 40 foot setback there, along with the septic systems. He stated that he had doubled the setbacks on each side of the lots, from 5 feet to 10 feet. He stated that he also doubled the rear setbacks and increase the front setbacks by 5 feet. Mr. Braswell asked if the existing home would be torn down. Mr. Sadeghy stated that a family friend, who needed someone to live, is currently living there. After the friend was to leave, the house would be torn down.

Public Forum:

Bethany Alberto, 5730 Holiday Road, Buford, spoke in opposition of the request. Ms. Alberto stated she was concerned with the applicant stating there would be a buffer and fence constructed on her property. She stated that she would not want that on her property, but on his.

Joline Brown, 5708 Green Road, Buford, spoke in opposition of the request. Ms. Brown stated that she was concerned with a fence being built on her property. She also asked about the school districts and Mr. Braswell stated that was not something that the Planning Commission could help with as that was determined by the Board of Education.

Rebuttal

Mr. Braswell asked Mr. Sadeghy if he had seen the zoning analysis. Mr. Sadeghy stated that he had. Mr. Braswell stated that he believed that the staff's recommendation of denial was correct and asked Mr. Sadeghy if he would be willing to drop to a 4-lot subdivision and down zone to Residential-I zoning. Mr. Braswell stated that doing so would give Mr. Sadeghy the required square foot per lot to meet R-I standards. Mr. Braswell stated that the R-I zoning, the rear yard setbacks would be 10 feet and your front yard setbacks would be 20 feet. Mr. Sadeghy stated that he set this request up to mirror the Buford City R-I zoning requirements. He also stated did not believe four lots would not financially make sense. He stated that his soils came back as supporting five lots. Mr. Sadeghy stated that the 10 foot buffer was one of the standards that the staff report stated his request did not meet. Mr. Braswell stated that there were six standards total that this request did not meet. Mr. Braswell covered the six standards. Mr. Sadeghy stated that he wanted to preserve the plants and trees and he reassured the Planning Commission that it would look nice. Mr. Sadeghy compared this request to other similar requests in the area and Mr. Braswell stated that the Planning Commission's hands were tied with what they could allow within the code. Mr. Hunt stated that he could support four lots, not five. Mr. Braswell and Sadeghy discussed his options would be moving forward to the Board of Commission meeting.

Planning Commission Comments:

Mr. Braswell stated that he could not support the current request, but would recommend approval on an R-I zoning with 4 lots if the applicant was willing to change their request. The applicant indicated they wanted to continue with the 5 lot request.

Motion: ***Mr. Bell made a motion to recommend denial of the request, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.***

- 11. Application of Hung Lam to rezone from Agricultural Residential-III (AR-II) to Highway Business (H-B) on a 3.86± acre tract located on the west side of Falcon Parkway approximately 155 feet from its intersection with Chris Avenue; a.k.a. 3818 Falcon Parkway; Zoned AR-III; Tax Parcel 08050 001005. Proposed Use: outdoor storage – boat and RV storage. Commission District 2.**

Background Information:

The applicant is seeking to rezone his 3.86± acre parcel from Agricultural-Residential-III (AR-III) to Highway Business (H-B) for development as outdoor boat and RV storage business. The narrative submitted with the application states the intent of the applicant to demolish four of the existing homes, which are the oldest, and renovate two of the newer existing homes for a gatehouse and an office. The submitted site plan depicts 124 spaces for storage, as well as a fence around the perimeter and storm-water management area.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

William Ferguson, 4441 J M Turk Road, Flowery Branch, presented the request. Mr. Ferguson stated that a few of the houses on the front of the property had been renovated and they were planning to turn one of the houses into the office for the proposed request. He stated that the houses on the rear of the property would be torn down to provide space for the outdoor storage. Mr. Ferguson stated that there would be a nice entrance constructed, a decorative fence around the property, and asphalt. Mr. Braswell asked to view the aerial photo for Mr. Ferguson to point out which houses would be kept and used for the office and gatehouse. Mr. Ferguson stated that an updated and final site plan would be submitted as soon as it was finished. Mr. Bell asked if the outdoor storage would be covered. Mr. Ferguson stated that they would be covered. Mr. Braswell stated that brick or stone columns, with iron fencing be used. Mr. Braswell asked if there would be exterior work done on the houses being turned into the office and gatehouse. Mr. Ferguson stated that there would be and it would meet all required standards. Mr. Braswell stated that he believed this would be a vast improvement from what is currently there. Mr. Bell asked if the site plan would be updated and submitted prior to their Board of Commission meeting. Mr. Ferguson stated that he did not know if it would be completed before that meeting. Mr. Braswell asked if Mr. Ferguson could at least clean up the current site plan prior to that meeting. Mr. Ferguson stated that he would do that and have Planning Staff review it prior to the Board of Commission meeting as well. Mr. Bell asked about the buffer between the proposed property and the residential lots. The Planning Commission discussed options between how big of a buffer and what type of fencing could be used on that property line. Mr. Bell stated that he would be agreeable with a 10 foot

buffer and an opaque fence. The other Planning Commissioners agreed. Mr. Hunt asked if opaque fencing would be used around the entire property. Mr. Braswell stated that it would only be required on the eastern property line.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: *Mr. Hunt made a motion to recommend approval, with conditions for the request, with a second from Mr. Bell and the motion passed by a 5-0 vote.*

Conditions:

1. *The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
2. *Development shall conform to the standards set forth by the Gateway Corridors Overlay District. No variances are granted as part of this application.*
3. *Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.*
4. *All conditions of zoning shall be made part of any plat created for the property.*
5. *All building materials and colors shall be approved by the Planning Director prior to the issuance of any building permits.*
6. *Any existing structures to remain on the property shall be brought up to meet the Gateway Corridors Overlay District (GCOD) Standards.*
7. *The development shall have decorative metal fencing with masonry columns along Falcon Parkway. There shall be a 6 foot tall opaque fence (black vinyl chain-link or PVC material) along all other property lines.*
8. *There shall be a 10 foot landscape buffer along the northeastern property line, adjacent to the parcels which front on Chris Avenue.*

- 12. Application of Lanier Luxe Self Storage to rezone from Residential-I (R-I) and Agricultural Residential-III (AR-III) to Highway Business (H-B) on a 9.862± acre tract located on the north side of Browns Bridge Road at its intersection with Cherokee Trail; a.k.a. 4152 Browns Bridge Road; Zoned R-I & AR-III; Tax Parcel 08050 003002. Proposed Use: self-storage warehouse. Commission District 2.**

Background Information:

The applicant is seeking to rezone a 9.862± acre parcel from Residential-I (R-I) and Agricultural-Residential-III (AR-III) to Highway Business (H-B) for development as self-storage warehouse business. The narrative describes an upscale climate-controlled self-storage and boat storage facility, with access controlled by an automated gate entrance on Cherokee Trail. Non-spill LED lighting will provide security. A monument sign will be located at the corner of Browns Bridge Road and Cherokee Trail, and a smaller entrance sign will be constructed at the facility's entrance.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request. Ms. McQuade stated that the applicant had requested to table their request to the August 16, 2021 Planning Commission meeting.

Motion: *Mr. Bell made a motion to table the request to the August 16, 2021 Planning Commission meeting, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

- 13. Application of Lanier Luxe Self Storage for a Use Subject to Planning Commission approval on a 9.862± acre tract located on the north side of Browns Bridge Road at its intersection with Cherokee Trail; a.k.a. 4152 Browns Bridge Road; Zoned R-I & AR-III; Tax Parcel 08050 003002. Proposed Use: caretaker or employee residence. Commission District 2.**

Background Information:

The applicant is seeking to rezone a 9.862± acre parcel from Residential-I (R-I) and Agricultural-Residential-III (AR-III) to Highway Business (H-B) for development as self-storage warehouse business. The narrative describes an upscale climate-controlled self-storage and boat storage facility, with access controlled by an automated gate entrance on Cherokee Trail. Non-spill LED lighting will provide security. A monument sign will be located at the corner of Browns Bridge Road and Cherokee Trail, and a smaller entrance sign will be constructed at the facility's entrance.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request. Ms. McQuade stated that the applicant had requested to table their request to the August 16, 2021 Planning Commission meeting.

Motion: *Ms. Pilcher made a motion to table the request to the August 16, 2021 Planning Commission meeting, with a second from Mr. Bell and the motion passed by a 5-0 vote.*

- 14. Application of C. Sam McGee to rezone from Agricultural Residential-III (AR-III) to Planned Commercial Development (PCD) on a combined 6.41± acres located on the west side of Hog Mountain Road approximately 1,760 feet from its intersection with Holland Dam Road; a.k.a. 5092 and 5118 Hog Mountain Road; Zoned AR-III; Tax Parcels 08116 000002 and 000007. Proposed Use: self-storage warehouse. Commission District 1.**

Background Information:

The applicant is requesting to rezone a combined 6.41± acre tract from Agricultural Residential-III (AR-III) to Planned Commercial Development (PCD) for a self-storage facility.

The narrative describes the proposed development as consisting of four two-story buildings with a security fence and code-operated gate. Digital surveillance will provide additional security and the buildings will be both climate-controlled and dry storage of varying sizes for lease. The facility will be dedicated 85% to self-storage and 15% to recreational vehicle (RV) and boat parking. Lighting will include non-spill security light at the front of the property and one in the back.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Sam McGee, 6969 Fellowship Lane, Flowery Branch, presented the request. Mr. McGee stated that he had previously applied to do this same project at a different location. He stated this new location was believe to be a better fit for the proposed project. Mr. McGee stated that he wanted to note that within the staff report, there was a structure listed as being on the property, but there was not. Mr. McGee stated that the 96,000 square feet of climate controlled buildings would be two stories. He stated there would also be buildings for office space as well. Mr. Braswell asked if Mr. McGee could point out on the site plan where the caretaker's residence would be. Ms. McQuade reviewed the caretaker's residence conditions for Mr. McGee. Mr. Bell asked Ms. McQuade to review the setbacks that the applicant was proposing. Mr. McGee stated that there was plenty of property to meet all the requirements. Mr. McGee showed the Planning Commission additional pictures of what the development would look like. He stated that there would be multiple cameras and security on the property. Mr. Braswell asked if the facility would be fenced. Mr. McGee stated that it would be.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: *Mr. Bell made a motion to recommend approval, with conditions for the request, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

Conditions:

1. *The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
2. *Development shall conform to the standards set forth by the Gateway Corridors Overlay District. No variances are granted as part of this application.*
3. *Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.*
4. *The self-storage units shall be limited to a total of 96,000 square feet, and a maximum of 18,000 square feet shall be dedicated to outdoor boat and RV storage.*
5. *Building height shall be limited to 2-stories.*
6. *One building to be used as an office/caretaker's residence is permitted and shall be no smaller than 2,000 heated square feet.*
7. *All conditions of zoning shall be made part of any plat created for the property.*
8. *All building materials and colors shall be approved by the Planning Director prior to the issuance of any building permits.*

- 15. Application of Mark Skelton to rezone from Agricultural Residential-III (AR-III) to Residential-I (R-I) on a 6.41± acre tract located on the north side of L J Martin Road approximately 1,235 feet from its intersection with Strickland Road; a.k.a. 5301 L J Martin Road; Zoned AR-III; Tax Parcel 15037 000031. Proposed Use: 3-lot subdivision. Commission District 1.**

Background Information:

The applicant is requesting to rezone a 6.41± acre tract from Agricultural-Residential-III (AR-III) to Residential-I (R-I) in order to subdivide the property into three (3) lots for single-family homes. The narrative states that the lots will vary in sizes, with the smallest measuring 1.16 acres and the largest measuring 3.938 acres. The lots are proposed to be residential in nature only, with the following prohibited from being used as a residence: trailers, mobile homes, basement, tent, shack, garage, barn, log cabin, or any outbuilding, or any temporary-style residence. The applicant proffers that no lot shall be re-subdivided into building lots of lesser use than the original lot, although part of a lot may be conveyed to the owner of an adjoining lot, rendering them combined.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Mark Skelton, 5301 L J Martin Drive, Gainesville, presented the request. Mr. Skelton stated that in addition to Ms. McQuade's summary, he wanted to note that he did have restrictive covenant, which is intended to regulate the use of the properties as well as the building materials used. He stated it was also designed to protect the value of the houses as well. Mr. Skelton stated that this covenant restricted the placement of the driveway for the east lot and the driveway should run four feet from the fence on the property line. Mr. Braswell asked if Mr. Skelton could point that out on the site plan. Mr. Skelton and the Planning Commission discussed the site plan that was submitted. There was confusion with the property lines and how they were presented on the site plan. After discussion, the questions regarding variances for two structures, were cleared up. Mr. Braswell requested that Mr. Skelton submit an updated site plan with clearer lot lines. Mr. Skelton agreed to do so. Mr. Bell asked how they would address the out building. Ms. McQuade stated that Mr. Skelton could update the site plan to show a setback line to accommodate that building. She stated that he has 10 feet to work with there. Ms. Pilcher asked about the setback and how it was more than what was required. Ms. McQuade stated that there was a 15 foot setback there and would need to be met. Ms. McQuade and the Planning Commission discussed the possibility of a variance to accommodate the building. Mr. Bell asked if the setback could be reduced. Ms. McQuade stated that they could require a 10 foot setback and Mr. Skelton's covenant could require a greater setback. Mr. Braswell asked if a new site plan would be required for that. Ms. McQuade stated that something would need to be submitted prior to the Board of Commission meeting. Ms. Garmon stated that the covenant was conditioned as part of the approval. Mr. Bell asked if they could change Mr. Skelton's covenants. Ms. Garmon stated that would be up to Mr. Skelton because they are his that he created. Ms. McQuade stated that Mr. Skelton could move forward with this request and come back to the Planning Commission to request a separate variance for that out building if the proposed request was recommend for approval. Mr. Skelton asked if his original Board of Commission date would stay the same if he were to come back through and ask for a variance. Ms. McQuade stated that the Board of Commission date would stay the same. Mr. Skelton stated that he would like to maintain the same Board

of Commission meeting date and come back through to request a variance. Mr. Braswell asked the Planning Commission to consider adding the agricultural statement as an additional condition for this request.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: *Mr. Bell made a motion to recommend approval, with conditions for the request, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

Conditions:

1. *The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
2. *The document titled Restrictive Land Use Covenants for the L. J. Martin Development Project shall be recognized as part of the zoning conditions for the development.*
3. *The subdivision shall be limited to 3 residential lots.*
4. *Minimum lot size shall be 35,000 square feet.*
5. *The minimum heated area shall be 2,500 square feet for a one-story home, 3,000 square feet for a two-story home including those with a basement or terrace level.*
6. *All homes shall include a two-car garage or carport with side entry.*
7. *Exterior finishes of the homes shall be brick, stone, or Hardie siding/panel or similar. Stucco and vinyl siding are prohibited.*
8. *All conditions of zoning shall be made a part of any plat of the property.*
9. *The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:
"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*
10. *The structure located on lot 1 and identified as "wood frame building" shall demolished or the applicant shall be approved for a variance for the structure prior to the recording of any plats for the 3 lot subdivision.*

Other Business

The next Planning Commission meeting will be on Monday, August 2, 2021.

ADJOURNMENT:

There being no further business to conduct, the meeting was adjourned by Mr. Braswell at 7:26pm.



Chris Braswell, Chairman
Hall County Planning Commission



Laura Ogletree, Clerk
Hall County Planning Commission