

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant**.....Brian Jones

**Request**.....Use Subject to County Commission Approval

**Proposed Use**.....Food processing plant involving the further processing of animal or animal product

**Size**.....4.19± acres

**Zoning**..... Light Industrial (I-I, [17.160](#))

**Location**.....**2196 Centennial Drive** | Tax Parcel  
08013 003033

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

**Planning Commission Date**.....July 24, 2023

**Staff Recommendation**.....**Approval, as the proposed use of a poultry processing facility is consistent with the established development pattern along Centennial Drive.**

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

**Vote: 5-0**

**Planning Commission 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. A 30 foot transitional buffer shall be planted or remain undisturbed along any boundary which abuts residential use of zoned properties. Planting standards shall meet those requirements in Section 17.260.020 of the Official Code of Hall County.
3. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
4. All conditions of zoning shall be made part of any plats created for the property.
5. There shall be no truck or vehicle parking or idling in the right-of-way of Centennial Drive.

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**Public Forum:**

**Juan Carlos Lomas, 3587 Southers Drive, Gainesville**, spoke in favor. Spoke about expanding their business and becoming a resource to the community.

**Summary Analysis**

The applicant is requesting conditional use approval from the Board of Commissioners for the purpose of developing the 4.19± acre parcel with a poultry processing facility. Within the Light Industrial (I-I, [17.160](#)) zoning district, food processing plants involving the further processing of animals or animal products are subject to approval of the Board of Commissioners.

Per the applicant’s narrative, the facility is intended to be used as a further processing facility for poultry. No slaughtering is proposed on the subject parcel. The subject parcel is 4.17± acres in size and is undeveloped. The western portion of the property is bordered by a stream, resulting in flood plain on the northern portion of the parcel, with the proposed development occupying the eastern side of the parcel. The proposed access for the development is from a single entrance on Centennial Drive. The submitted site plan shows a 19,241 square foot metal-sided building and a loading dock with five (5) bays located behind the building. The proposed parking lot contains 92 parking spaces and a 10 foot landscape strip follows the frontage of the parcel along Centennial Drive.

The narrative continues to explain that during the development process the property will be graded for a future 9,636 square foot expansion. There are anticipated to be 10 refrigerated semi-trucks accessing the facility on a daily basis and the business will operate 3 shifts:

- 1<sup>st</sup> Shift:           Quality Assurance – 6:00am to 4:30pm  
                          Production – 8:00am – 4:00pm  
                          +/- 100 employees
  
- 2<sup>nd</sup> Shift:           Quality Assurance – 4:30pm to 1:00am  
                          Production – 4:00pm to 12:30am  
                          +/- 60 people
  
- 3<sup>rd</sup> Shift:           Sanitation – 12:00am – 8:00am  
                          +/- 15 people

The applicant has requested no variances from the Zoning Ordinance and has stated that the proposed development will be consistent with the requirements of the Light Industrial (I-I, [17.160](#)) zoning district, as well as landscaping, lighting, and signage requirements. Staff has not identified any needed variances during the analysis of the request.

**Based on the future land-use plan, staff finds the proposed conditional use request inconsistent with the future land use classification of Lake Area Residential in the [Comprehensive Plan](#). It should be noted that Light Industrial (I-I, [17.160](#)) zoning classification is already established and the current request is for conditional use approval. The proposed use is consistent with the general development pattern along Centennial Drive, which contains a mixture of light industrial businesses.**

### Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision ([17.380.060](#)), the planning commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The property has previously been rezoned to Light Industrial (I-I, [17.160](#)) and the current request is for a use subject to approval of the Board of Commissioners for poultry processing business. Within the I-I district, food processing plants involving the further processing of animal or animal product are subject to approval of the Board of Commissioners.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The site is already zoned Light Industrial (I-I, [17.160](#)) and is currently undeveloped. It is not anticipated that the proposed development and use would have an adverse impact on adjacent or nearby property. The subject property is bounded to the northwest by the City of Gainesville water treatment facility, and to the southwest, east, and south by light industrial uses.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the property is currently zoned Light Industrial (I-I, [17.160](#)). As such, the property can be used for any use permitted by right. As the requested use requires conditional use approval from the Board of Commissioner, the proposed use cannot operate unless approval is granted.**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service; **This question is not applicable as the Light Industrial (I-I, [17.160](#)) zoning classification is currently established on the property. The proposed use is not anticipated to cause excessive or burdensome use of community facilities.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The Light Industrial (I-I, [17.160](#)) zoning classification has already been established on the property, and as such, this criteria is not applicable.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to assess the extent to which property values are diminished by the existing zoning restrictions. If the conditional use request is not approved, the applicant would not be able to operate the business at the subject property.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **As the Light Industrial (I-I, [17.160](#)) zoning classification has already been established, this criteria is not applicable.**

8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **If the conditional use request is not approved, the applicant would not be able to operate the business at the subject property.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property is undeveloped and appears to have been so for a number of years.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **There are no known changing conditions affecting the use or development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request is a conditional use request and there are no proposed changes to the underlying zoning.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **No, the request is not out of scale with the needs of the county as a whole.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **The proposed use of a poultry processing facility requires conditional use approval from the Board of Commissioners in the Light Industrial (I-I, [17.160](#)), meaning a conditional use request would be required on another I-I property in the county.**
15. Whether the need for rezoning could be handled instead by a variance request to the [planning commission]; **No, the request could not be handled instead by a variance.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result, there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

**[17.380.050](#). - Submission requirements for a rezoning request**

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall

appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The applicant has submitted a narrative and site plan but has not explicitly addressed the criteria listed in [17.350.120](#).**
  2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **A site plan drawn to scale was submitted as part of the application.**
- C. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This standard is not applicable as a slow rate land treatment system is not proposed on the site.**
- D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **As there are not 100 or more residential dwelling units proposed and as such this criteria is not applicable.**

### **Development Support and Constraints – Departmental / Agency Comments**

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

In an email dated June 22, 2023, Emily McGahee stated “No comment. Public sewer.”

#### **Hall County Fire Marshal**

In an email dated June 22, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated:

Hall County Fire Marshal Comments:

- 1) If approved an engineered site development plan will need to be submitted to Hall County for review and approval by the Development Review Committee.
- 2) Based off the size of the proposed building a supervised fire protection system will be required.
- 3) Underground fire line will be required for the fire protection water supply.
- 4) Gainesville Fire Service Vault will be required.
- 5) Additional fire hydrant(s) may be required.

- 6) Fire apparatus accessibility must meet International Fire Code Standards.
- 7) Emergency responder radio coverage test will be required.

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

In a memo dated June 20, 2023, Bill Nash, Director of 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 stream buffer and impervious setback from wrested vegetation not center line of stream.  
Show stream buffer and impervious setback from wrested vegetation not center line of stream.  
FEMA and Hall County studied Flood plains present on site.

#### **Traffic:**

No comment.

#### **Utilities**

No comment.

### **Georgia Department of Transportation**

In an email dated June 21, 2023, Parker Niebauer, D1TO Traffic Operations Supervisor, confirmed that this project will not require GDOT coordination.

- **Excerpts from the minutes of the August 7, 2023 meeting**

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

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

**Brian Jones, 108 Ozark Trail, Canton**, presented the request. The applicant stated that the property was purchased with the intent to further expand the business. The applicant stated that there will be no animal slaughtering on the property.

#### **Public Forum:**

**Juan Carlos Lomas, 3587 Southers Drive, Gainesville**, spoke in favor. Spoke about expanding their business and becoming a resource to the community.

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

Mr. Braswell requested clarification on future expansion on the site plan. The applicant stated it would have some challenges but it was not a focus at the moment. Mr. Braswell questioned the number of semi-trucks a day on the property. The applicant stated it would be staggered and limited to ten a day.

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

*Conditions:*

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