

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Paden M. Dunagan

Request Rezone from Agricultural Residential IV (AR-IV, [17.120](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) to Heavy Industrial (I-II, [17.170](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)).

Proposed Use Welding service

Size 51.47± acres

Zoning Current Agricultural Residential IV (AR-IV, [17.120](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) | Proposed Heavy Industrial (I-II, [17.170](#)) and Gateway Corridors Overlay District (GCOD, [17.420](#)).

Location **0 Candler Road** | Tax Parcel 15031A000001

Commission District Three

Planning Commission Date August 7, 2023

Staff Recommendation **Approval with Conditions as the proposed use is consistent with the [Comprehensive Plan](#) future land use classification of employment corridor.**

Planning Commission Recommendation.....**Approval, with conditions**
Vote: 4-0 (Sosebee absent)

Conditions:

1. The development shall occur as depicted on the site plan dated April 14, 2021 and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations at the time of permit application. Minor changes can be approved by the Planning Director provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those specifically granted herein.

2. As the proposed structure crosses the common property line between the subject property tax parcel 15031A000001 and tax parcel 15031A000002 to the north, a combination plat shall be recorded prior to the approval of any development permits.
3. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
4. All parking and storage areas shall be paved with either asphalt or concrete, if located within the 300 feet that defines the Gateway Corridor Overlay District.
5. All plans for improvements and/or further development of the property shall be submitted for review and appropriate permits obtained.
6. All conditions of zoning shall be made part of any plats created for the property.
7. The extended driveway shall meet Gateway Corridor Overlay District standards for a minimum distance of 300 feet from the centerline of the road, as well as Georgia Department of Transportation requirements. The driveway paving (concrete or asphalt) shall extend the entire length of the drive from Candler Road to the parking area for the welding business.
8. The parking area shall either be paved with concrete or asphalt, or a combination of the two.
9. All signage within 300 feet of the centerline of Candler Road shall adhere to Gateway Corridor Overlay District standards.
10. Gateway Corridor Overlay District architectural standards shall not apply to the building, so long as the building is located at least 300 feet from the centerline of Candler Road.
11. All previous conditions of zoning set forth by the 2021 Board of Commissioners approval letter shall be repealed, and are replaced by the zoning conditions herein.

Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting to rezone 51.47± acres from Agricultural Residential IV (AR-IV, [17.120](#)) to Heavy Industrial (I-II, [17.170](#)) for the purpose of relocating an existing welding business to the property. The property also falls within the Gateway Corridors Overlay District (GCOD, [17.420](#)), which provides supplemental development standards for non-residential development. The narrative states the site will be developed with a 45,000 – 50,000 square foot building and accessed by two (2) GDOT approved entrances from Candler Road, although only one driveway is shown on the site plan.

The submitted site plan shows a 450 foot by 100 foot building with multiple overhead doors and 27 parking spaces. The building and parking lot are situated between two streams located on the subject property. Per the submitted narrative, the proposed building crosses the common property line of [tax parcel 15031A000002](#), an 8.0± acre Heavy Industrial (I-II-C, [17.170](#)) tract to the north, also owned by the applicant. The 8.0± acre parcel was rezoned, with conditions, in 2021 for use as both a welding service and a trucking company. The applicant's narrative indicates that their intention is to utilize the 51.47± acres in the same manner and that the site will be compliant with all requirements of the county ordinances and building codes.

No variances have been requested as part of this application.

Based on the future land-use plan, staff finds the zoning request consistent with the Employment Corridor future land use classification in the [Comprehensive Plan](#), which anticipates the primary future land uses to include industrial uses, business parks, and technology based operations.

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 proposed use of the property as a welding service is consistent with the development pattern of nearby properties. To the north is an adjacent 8.0± acre parcel also zoned Heavy Industrial (I-II, [17.170](#)). A Suburban Shopping (S-S, [17.140](#)) zoned parcel is located to the east, adjacent to Candler Road and the east side of Candler Road contains Light Industrial (I-I, [17.160](#)) zoned properties. To the south and west are other Agricultural Residential IV (AR-IV, [17.120](#)) properties.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed zoning classification of Heavy Industrial (I-II, [17.170](#)) is consistent with the existing development along Candler Road.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the property has reasonable economic use as currently zoned, Agricultural Residential IV (AR-IV, [17.120](#)), but the proposed business cannot occur as described without approval of the rezoning request to Heavy Industrial (I-II, [17.170](#)).**
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; **The proposed use should not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public facilities, or emergency medical service.**
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 parcels fall within the Employment Corridor of the [Comprehensive Plan](#). The intent of Employment Corridor is to enhance and maintain well-functioning, attractive corridors that facilitate vehicular traffic flow and pedestrian/bicycle connectivity, serve local needs, and coordinate land use patterns without encroaching on adjacent neighborhoods. Additionally, these corridors should create employment opportunities where a location benefits from interstate access or supports industrial-focused development patterns. Primary future land uses should be industrial uses, business parks, and technology based operations.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**

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; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
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; **Aerial imagery shows that the property is primarily undeveloped. If any recent unpermitted land disturbance has occurred, this work will need to be brought into compliance during the development process.**
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 rezoning of the property to Heavy Industrial (I-II, [17.170](#)) would be a more intensive use than the existing Agricultural Residential IV (AR-IV, [17.120](#)) classification but it would not create an isolated district unrelated to the surrounding districts, as there is I-II zoning established to the north.**
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. The Candler Road corridor has trended towards industrial developments as the road intersects with both I-985 to the north and I-85 to the south.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There may be other industrially zoned properties in the county where the proposed use would be permitted without zoning action, though the current request is adjacent to a parcel of land already zoned Heavy Industrial (I-II, [17.170](#)), which is owned by the applicant and intended to be used as part of the site development.**
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 as a welding service is not a permitted use within the Agricultural Residential IV (AR-IV, [17.120](#)).**
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

- 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 the Hall County Planning Commission.**
- 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. **The applicant submitted the site plan drawn to scale.**
- 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 the site will be served by an onsite septic system.**
- 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, this criteria is not applicable.**

Development Support and Constraints / Departmental Comments

Hall County Environmental Health

In an email dated July 3, 2023, Emily McGahee 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, and septic system installation may be required after review of business plan.”

Hall County Fire Marshal

In an email dated July 6, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following comments:

If approved, engineered site plan will have to be submitted to Hall County for review and approval by the Development Review Committee.

Hall County Public Works and Utilities

In a memo dated July 6, 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.
FEMA and Hall County studied floodplains present on site.

Traffic:

Proposed driveways ties into existing Candler Road (SR60) driveways, however, GDOT will need to approve expanded use of existing driveway.

Utilities

City of Gainesville sewer district.

Georgia Department of Transportation

In an email dated July 6, 2023 from Parker Niebauer, Traffic Operations Supervisor, confirmed that the project will require GDOT coordination.

➤ **Excerpts from the minutes of the October 16, 2023 meeting**

Applicant’s Presentation:

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

Paden Dunagan, 3263 Tanners Mill Road, Gainesville, presented the request. The applicant stated that the proposed building is larger than what was previously approved.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Braswell stated that the building will be about 1,000 feet from the road and 80 feet below road grade. Mr. Hunt questioned the type of material being used on the building. The applicant stated he will block up to 10 feet and everything else will be steel. Mr. Hunt questioned the type of parking lot material. The applicant stated that it would be asphalt, with curb and gutter. Mr. Hunt questioned the use of the gravel parking spots around the property. The applicant stated that it would be abandoned.

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

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