

HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT

**Applicant** ..... Steve Gilliam  
**Request** ..... Use Subject to County Commission Approval | [17.170.020.13](#) Approval for a Concrete Plant  
**Proposed Use** ..... Concrete plant  
**Size** ..... 33.46 ± acres  
**Zoning** ..... Heavy Industrial District (I-II, [17.170](#))  
**Location** ..... **2955 Candler Road** | Tax Parcel 15025 000011  
**Commission District** ..... Three  
**Planning Commission Date** ..... January 2, 2024  
**Staff Recommendation** ..... **Approval, with conditions** as the proposed use is consistent with adjacent land uses and the current zoning district.

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

**Planning Commission Conditions:**

- 1. The property shall be developed in accordance with the site plan and as described in the project narrative submitted on November 2, 2023 modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
- 2. Designated employee and truck parking shall be provided per 17.250.020(A) – Off-Street Parking, Storage and Loading Requirements for Industrial uses.
- 3. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards or processes in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.
- 4. The developer shall coordinate with the Georgia Department of Transportation (GDOT) and Hall County Engineering to obtain the necessary driveway permits for access to the site.
- 5. Pursuant to [2.60.060](#), all applications approved by the board, whether a request for variance from the terms of [Title 17](#), a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of [Title 17](#), shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper

permit and/or license and proceeding with the building, occupancy, or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

6. All conditions of zoning shall be made a part of any plats or construction plans created for the facility.

**Staff Recommended Conditions:**

1. The property shall be developed in accordance with the site plan and as described in the project narrative submitted on November 2, 2023 modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Designated employee and truck parking shall be provided per 17.250.020(A) – Off-Street Parking, Storage and Loading Requirements for Industrial uses.
3. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards or processes in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.
4. The developer shall coordinate with the Georgia Department of Transportation (GDOT) and Hall County Engineering to obtain the necessary driveway permits for access to the site.
5. Pursuant to [2.60.060](#), all applications approved by the board, whether a request for variance from the terms of [Title 17](#), a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of [Title 17](#), shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy, or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
6. All conditions of zoning shall be made a part of any plats or construction plans created for the facility.

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**Public Forum:**

*There were no comments in support or opposition.*

**Summary Analysis**

The applicant is requesting county commission approval of a conditional use on a 33.46± acre parcel zoned Heavy Industrial District (I-II, [17.170](#)) for the construction of a concrete plant. Under the Heavy-Industrial (I-II, [17.170.020](#)) zoning district, the manufacturing of cement is a use subject to the approval of the Hall County Board of Commissioners. The site is located within the Heidelberg Materials Gainesville Quarry, and all adjacent parcels are also zoned Heavy Industrial District (I-II, [17.170](#)).

The applicant’s narrative states that the site will be developed into a ready-mix concrete facility to serve the greater Hall County area, with an estimated completion date by mid-year 2024. The facility will include the construction of one building, an office, which will house the controls for the mixing operations. The submitted site plan depicts the office and concrete mixing area. The applicant did not specify the proposed square footage for the office. The applicant has requested flexibility to modify the arrangement of

improvements upon the property during the development process, but not in any way that would violate [Title 17](#) of the Official Code of Hall County.

Other improvements to the site include an excavation area, loading hopper, truck parking, two storage yards, several storage areas, and a 30-foot private road leading from the facility to Candler Road (GA-60). The material storage spaces are separated by dividers and will hold different sizes of rock and sand. Additionally, there will be an enclosed bin for the cement. All vertical improvements are proposed near the center of the property, and the applicant states that the operation will be buffered from adjacent property lines by over 125 feet of existing, mature vegetation. The concept plan shows employee parking near the office but it is unclear whether it meets the required 1.6 parking spaces per 1,000 square feet of gross floor area per [17.250.020\(A\)](#).

In an amended narrative, the applicant provided additional information regarding the proposed operation: front-end loaders will carry concrete mixing materials and cement to the loading hopper, where the material is loaded into the rotating cylinder at the rear of the truck. Once loaded, the truck is moved away from the hopper and driven to the designated site.

As the subject parcel does not have any road frontage, public road access will take place through parcel [15025 000012](#), which the applicant states is allowed by an established easement agreement. The submitted narrative specifies that dump trucks will be confined to a network of private roads that will connect the concrete facility to the Heidelberg Materials Gainesville Quarry. Concrete mixer trucks will utilize public roads to deliver to job sites, which may take place at any time of day. The applicant has proposed unlimited hours of operation to allow them to serve the Georgia Department of Transportation (GDOT) on an as-needed basis. GDOT coordination will be required for access to the concrete plant from Candler Road.

The submitted narrative states that the facility will be served by an on-site sewage management system. Hall County Engineering has requested that details of any present flood plains on the site be represented on the civil plans for the development.

The applicable development standards within the Heavy Industrial District (I-II, [17.170](#)) are described in the table below:

Standard	Heavy Industrial District Requirement ( <a href="#">17.240.010(A)</a> ), ( <a href="#">17.250.020(A)</a> )
Minimum Lot Area	15,000 square feet
Front Setback	50 feet (from property line)
Side Setback	30 feet
Rear Setback	30 feet
Parking	23± spaces*
Note: standards marked with an asterisk (*) are not explicitly met within the submitted concept plan.	

No variances have been submitted as part of this request; therefore, any deficiencies identified as part of the plan will be required to comply with the requirements of the Heavy Industrial (I-II, [17.170](#)) zoning district unless granted in the conditions of approval.

**Based on the future land-use plan, staff finds the requested zoning designation *is consistent* with the Hall County [Comprehensive Plan](#), adjacent land uses, and the current zoning environment.** The [Comprehensive Plan's](#) future land use designation for the subject parcel is Rural Residential and it is also part of an Employment Corridor. The intent of the Rural Residential land use category is to preserve established neighborhoods and create a transition between Rural Areas and Residential Areas. Future development is planned to consist of detached low-density residential, civic, and recreational uses. However, the subject

parcel is also located within the vicinity of the Employment Corridor along Candler Road, which is envisioned to include industrial uses at moderate to high densities. The proposed use closely resembles other existing uses in the immediate area. Corridors in Residential and Rural Residential areas are generally those roadways that are intended to accommodate a variety of nonresidential uses without encroaching upon or replacing adjacent residential neighborhoods. Non-residential uses along corridors in Residential and Rural Areas should be located in close proximity to Community Crossroads or Activity Centers. Access should be from secondary roads so as not to impede traffic flow, and adjacent businesses should share interparcel access.

### **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 a concrete plant is similar in use, development, and zoning to adjacent and nearby properties. All adjacent parcels are within the Heavy Industrial zoning district (I-II, [17.170](#)), and several are developed with industrial uses.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **As the subject area is zoned for industrial activity, the introduction of the proposed concrete plant should not adversely affect nearby properties when developed in accordance with local, state, and federal standards. The applicant states that water trucks will routinely spray the access road to limit the spread of dust.**
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, Heavy Industrial (I-II, [17.170](#)), and it can be utilized for any use permitted by right. Concrete plants are not permitted or allowed on a conditional basis in any other zoning district and require conditional use approval from the Board of Commissioners.**
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 development of a concrete plant should not cause an excessive or burdensome use of the existing streets, utilities, or public services.**
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 proposed use of a concrete plant is designation *is consistent* with the Hall County [Comprehensive Plan](#), adjacent land uses, and the current zoning environment.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Absent a market study, staff is unable to determine whether 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; **Tax parcel [15025 000011](#) is undeveloped and mostly forested. The western portion of the property is occupied by a body of water.**
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, intended to allow the use of a concrete plant within the Heavy Industrial District (I-II, [17.170](#)). This zoning designation matches all surrounding parcels, several of which are currently utilized for industrial activities.**
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 neighborhood or the county. The need for more infrastructure, paved improvements and employment opportunities within Hall County is growing, and this proposal will help satisfy those needs.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Concrete plants are a prohibited use in all zoning districts except for the Heavy Industrial District (I-II, [17.170](#)), where it is a use subject to County Commission approval.**
15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **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 are no anticipated ecological or pollution impacts 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.**

**17.350.040. - Submission requirements for a conditional use request**

An application shall be submitted to the planning department at least 30 working days prior to the date of the Planning Commission meeting at which the application is to be considered. The completed application shall be accompanied by payment of such fee prescribed in [chapter 17.30](#) hereof to cover administrative and advertising costs. The following items of information shall be supplied by the applicant as set forth in [chapter 17.350](#). **The applicant submitted to the planning department more than 30 days prior to the meeting date and has paid the application fee.**

**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. **The proposal meets the requirement. The 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]. **A narrative statement has been provided, outlining the proposed use of the property; however, the applicant has not prepared a response to each of the criteria listed in [17.380.060.C](#).**
  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 has submitted a conceptual site plan; however, the precise placement and dimensions of the proposed improvements are not detailed.**
- 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 to the applicant's request.**
- 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. **This standard is not applicable to the applicant's request.**

**Development Support and Constraints**

**Hall County Environmental Health**

In an email dated November 28, 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 December 1, 2023, from John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated, “The Hall County Fire Marshal’s Office has no comments as proposed.”

**Hall County Public Works and Utilities**

In a memorandum from Public Works and Utilities dated November 30, 2023, Director Bill Nash stated the following:

**Engineering:**

Show FEMA and Hall County studied Flood plains that are present on site.

**Traffic:**

Clarify how access to the parcel will be maintained. Will an easement be created through an adjacent parcel?

**Utilities:**

No comment.

**Georgia Department of Transportation**

In an email dated December 4, Veronica Chavers, D1TO Civil Engineer III, stated that GDOT coordination would be required for driveway access on Candler Road.

➤ **Excerpts from the minutes of the January 2, 2024 meeting**

**Applicant’s Presentation:**

**Katie Greenway, Principal Planner**, presented a summary of the request.

**Steve Gilliam, 340 Jesse Jewell Parkway, Gainesville**, presented the request. The applicant stated that rather than shipping the material out, they will be able to manufacture on the property with this use. The applicant stated that the lease on 3001 Candler Road allows the applicant to build roads that will access the plant.

**Public Forum:**

*There were no comments in support or opposition.*

**Planning Commission Comments:**

Ms. Pilcher questioned the percentage of gravel truck traffic being eliminated. The applicant stated 100%.

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

*Conditions:*

1. The property shall be developed in accordance with the site plan and as described in the project narrative submitted on November 2, 2023 modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
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