

**HALL COUNTY PLANNING COMMISSION  
RECCOMENDATION REPORT**

**Applicant** ..... Yuba Sutter Properties, LLC c/o Todd W. Reed

**Request** ..... **Rezone** | from Agricultural Residential 1 (AR-1)  
to Office and Institutional (O-I)

**Proposed Use** ..... Permitted Uses in O-I

**Size** ..... 1.24± acres

**Zoning** ..... **Current:** Agricultural Residential 1 (AR-1) |  
**Proposed:** Office and Institutional (O-I)

**Location** ..... **6060 Spout Springs Road** | Tax Parcel 15046  
000114

**Commission District** ..... One

**Planning Commission Date** ..... March 3, 2025

**Staff Recommendation** ..... **Approval, with conditions** as the proposed  
zoning is consistent with the “Business  
Corridors” future land use classification within  
the Comprehensive Plan

**Record Number(s)** ..... HZON25-0001

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

**Vote: 4-0 (Sosebee absent)**

**Planning Commission Conditions:**

1. The property shall be developed in accordance with the site plan dated December 13, 2024, and as described in the project narrative dated January 6, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering. Any costs associated with these improvements shall be the responsibility of the developer.

3. 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."
4. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
5. All conditions of zoning shall be made part of any plats created for the property.

**Excerpts from the minutes of the March 3, 2025 meeting**

**Applicant's Presentation:**

**Katie Greenway, Planning and Zoning Administrator**, presented a summary of the request.

**Todd Reed, 4365 Sugar Leaf Drive, Oakwood**, presented the request. The applicant is requesting to rezone a 1.24± acre tract from Agricultural Residential 1 (AR-1) to Office and Institutional (O-I). The subject property is currently undeveloped. This property has a concurrent request for a road frontage variance for 6050, 0654, & 6060 Spout Springs Road (tax parcels 15046 000114, 000149, & 000149A) to reduce the required road frontage from 500 feet to a minimum of 124 feet in order to allow for the reconfiguration of three existing lots of record (HVAR25-0001).

**Public Forum:**

*There were no comments in support or opposition.*

**Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Johnny Varner. Vote: 4-0 (Sosebee absent)**

Conditions:

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**Staff recommends APPROVAL of the applicant’s requests with the following conditions:**

1. The property shall be developed in accordance with the site plan dated December 13, 2024, and as described in the project narrative dated January 6, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering. Any costs associated with these improvements shall be the responsibility of the developer.
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**Summary Analysis**

The applicant is requesting to rezone a 1.24± acre tract from Agricultural Residential 1 (AR-1) to Office and Institutional (O-I). The subject property is currently undeveloped. This property has a concurrent

request for a road frontage variance for 6050, 0654, & 6060 Spout Springs Road (tax parcels 15046 000114, 000149, & 000149A) to reduce the required road frontage from 500 feet to a minimum of 124 feet in order to allow for the reconfiguration of three existing lots of record (HVAR25-0001).

This subject parcel is located within the Hall County Gateway Corridors Overlay District (GCOD) and the surrounding properties are zoned and developed as outlined below:

- North: Office and Institutional (O-I): 6050 & 6054 Spout Springs Road (tax parcels 15046 000149 & 000149) – Developed as a medical office (ZON2009-00064); Agricultural Residential 1 (AR-1): Developed with single-family residences; & Highway Business (H-B): 6016 Spout Springs Road (tax parcel 15046 000148) – Developed as an office (ZON2016-0067).
- South: Agricultural Residential 1 (AR-1): Developed with single-family residences & Residential 1 (R-1): Developed with single-family residences.
- East: Agricultural Residential 1 (AR-1): Developed with single-family residences & Planned Residential Development (PRD): 6001, 6005, 6011, & 6065 Spout Springs Road (tax parcels 15046 000065, 000125, 000131, and 000070) - Developed with single-family residences and undeveloped areas; however, zoning is approved for 353 apartments and limited commercial uses (ZON2017-000061).
- West: Agricultural Residential 1 (AR-1): Developed with single-family residences & undeveloped parcels.

The adjacent parcels, located at 6050 and 6054 Springs Road are part of the proposed professional office development, and were rezoned in 2009 from AR-1 to O-I, and a conditional use was approved for a variance of the parking and buffer requirements (ZON2009-00064). In 2011, a land disturbance permit was issued for 6050 Spout Springs (tax parcel 15046 000149); along with the issuance of a commercial building permit (PLN2011-00049 & COM2011-00386). In 2019, a land disturbance permit was approved for an additional parking area on the site, in conjunction with the widening of Spout Springs Road (HDV2019-00019).

Per the submitted narrative and site plan, the applicant is requesting to rezone and reconfigure the subject parcel as well as the adjacent parcels to create three lots for separate professional offices. The proposed development will be consistent with the existing use of 6050 Spout Springs Road. This will include a professional office building ranging from 4,000 to 6,000 square foot in area which will operate during regular daytime business hours. Per the site plan, the applicant is proposing to use the existing access at 6050 Spout Spring Road to create a shared driveway that will serve Tract 1A and Tract 1B. A second existing access off Spout Springs Road will serve as a right-in/right-out access for Tract 1C.

Water service will be provided by the City of Gainesville Department of Water Resources as confirmed in an email dated January 24, 2025. Sanitary sewer services will be provided by individual on-site septic systems.

The non-residential development standards are compared with the Gateway Corridors Overlay District standards in the table below:

Standard		Compliance	Proposed	Notes
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6.2.5.A - Transitional buffers		Complies	25 foot buffer along the eastern and southern property lines of Tract 1C	A 25-foot transitional buffer is required adjacent to residential property. Buffers shall comply with GCOD standards.
6.2.5.B – Additional landscape and screening standards		Deficient*	No landscape strip is proposed along street frontages	10 foot landscape strip is required along Spout Springs Road
6.2.5.C – Parking lot design		Deficient*	Parking is located between the proposed structures and Spout Springs Road	The majority of the parking spaces are located between a principle building and road. No exception is requested. Parking lot design (6.2.5.C.2.e)
6.2.5.D – Outdoor lighting		Unknown	Unknown	Shall comply with GCOD standards.
6.2.5.E – Interparcel access		Complies	Interconnectivity is supported within the development	The applicant has proposed interconnectivity within the development
6.2.6 – Architectural standards		Unknown	No renderings have been submitted	No renderings have been submitted
6.2.7 – Signs		Unknown	No additional sign request has been submitted	One freestanding monument sign exists on the frontage of Spout Springs.
Note: Items marked with an asterisk (*) do not conform to 6.2.5 or are unspecified in the application.				

### **Comprehensive Plan Land Use Designation**

Based on the future land use plan, staff finds the requested zoning designation *is consistent* with the Hall County Comprehensive Plan future land use designation of “Business Nodes and Corridors.” The intent of this future land use designation should consist of higher-intensity commercial uses, low-

intensity, consumer-facing industrial uses that house businesses that serve nearby communities and some higher density residential, where appropriate. Site designs should incorporate the Quality Development Principals, particularly natural resource protections and high quality landscape installations, to the fullest extent possible.

### **Zoning Analysis**

When considering a zoning amendment to the zoning maps, the Planning Commission must 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 must be considered:

- a) 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 O-I zoning district is consistent with the use, development, and zoning of adjacent and nearby properties.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the proposed rezoning will adversely affect the existing use or usability of adjacent properties.**
- c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned; however, the applicant cannot develop the property as proposed without approval by the Board of Commissioners.**
- d) 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 rezoning is not expected to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public facilities, or emergency medical service. The property will be served by an onsite septic system and a water availability letter was provided by the City of Gainesville.**
- e) 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 is consistent with the Comprehensive Plan's future land use designation of Business Nodes and Corridors, which supports higher-intensity commercial uses, low-intensity, consumer-facing industrial uses that house businesses that serve nearby communities and higher density residential, where appropriate.**
- f) 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.**
- g) 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.**

- h) 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.**
- i) 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 at 6060 Spout Springs is undeveloped. The two adjacent properties located at 6050 and 6054 Spout Springs Road were rezoned in 2009. 6050 Spout Springs Road is developed with a medical office constructed in 2011.**
- 1. 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; **Staff is not aware of any changing conditions affecting the use or development of the property; however, the development is proposed to be in conformity with the neighboring O-I parcels located at 6050 and 6054 Spout Springs Road.**
- j) Whether the change would create an isolated district unrelated to the surrounding districts; **As the property abutting this parcel is already zoned O-I, this would not create an isolated district.**
- k) 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.**
- l) 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.**
- m) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support office and institutional uses based on the Future Land Use Map; however, the development as proposed requires rezoning approval by the Board of Commissioners.**
- n) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request for rezoning could not be handled alternatively as a variance.**
- o) 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.**

- p) 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.**

**11.2.6.E - Submission requirements**

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must 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.**
2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:
  - a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **The proposal provides a narrative outlining the intent of the development; however, the applicant has not prepared a response to each of the criteria listed in 11.2.6.E.2.**
  - b. 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 may evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal meets the requirement.**
  - c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, 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 must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study



and forward any comments to the County Commission **This standard is not applicable to the applicant's request.**

**Development Support and Constraints**

**Hall County Environmental Health**

In an email dated January 29, 2025, 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 January 31, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments as proposed."

**Hall County Public Works and Utilities**

In a memo dated January 31, 2025, Bill Nash, Director of Public Works and Utilities, provided the following comments:

**Engineering:**

This 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.

**Traffic:**

Interparcel access as shown on site plan with existing tract and proposed tracts required.  
Driveway access for parcels permitted at existing location only.  
Decel lane required for access on Spout Springs Rd.  
Existing access must be improved/modified to meet GDOT commercial standards

**Utilities**

Flowery Branch sewer service area  
Septic system proposed

**Georgia Department of Transportation**

In an email dated January 28, 2025, Henry Stevens, E.I.T., GDOT Civil Engineer 2, stated that GDOT coordination is not required.