

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Simpson Trucking and Grading, Inc.

Request **Rezone** | from Agricultural Residential 1 (AR-1) and Suburban Shopping (S-S, GCOD) to Planned Industrial Development (PID, GCOD)

Proposed Use Industrial uses

Size 38.52± acres

Zoning **Current:** Agricultural Residential 1 (AR-1) & Suburban Shopping (S-S, GCOD) | **Proposed:** Planned Industrial Development (PID, GCOD)

Location **0 & 3566 Athens Highway** | Tax Parcels 15014 000167 & 000233

Commission District Three

Planning Commission Date April 7, 2025

Staff Recommendation **Approval, with conditions**, as the proposed development is consistent with the “Business or Employment Nodes & Corridors” future land use designation in the Comprehensive Plan.

Record Number..... HZON25-0006

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

Vote: 5-0

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated April 3, 2025, and as described in the project narrative dated February 19, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the property shall be approved by the Georgia Department of Transportation. The developer shall be responsible for all costs associated with improvements necessary for access to the development.
3. 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

- Unified Development 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.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the property
 5. A 50 foot buffer shall be maintained except designated otherwise as shown on the submitted site plan dated April 3, 2025.
 6. A variance to section 6.2.5.C.2.e – Parking Lot Design Standards, as outlined in the submitted narrative, is granted with the following modification: A 30 foot sloped landscape buffer with vegetative screening shall be established along the property line abutting Athens Highway. The planting plan shall require a mixture of evergreen and deciduous trees and shrubs. Final review and approval of the landscape plan shall be subject to the Director of Planning and Zoning, or their designee.
 7. Section 6.2.5.B.6 – Additional Landscape and Screening Standards shall be met per the Hall County Unified Development Code.
 8. A variance is granted to allow for gravel parking/equipment storage areas per the submitted site plan dated April 3, 2025. All outdoor storage shall be screened per GCOD standards. Outdoor storage shall be defined by those items listed in section 7.6.6.A 1 through 6 in the Hall County Unified Development Code.
 9. A variance for parking requirements is granted with the maximum number of parking spaces not to exceed 200.
 10. A variance is granted to allow metal siding and roof on the 40,000 square foot building located at the rear of the property as well as on the rear elevation on the 45,000 square foot building located at the front of the property shown on the submitted concept plan dated April 3, 2025. Elevations, colors, and materials shall be subject to the final review and approval of the Director of Planning and Zoning, or their designee.
 11. No building shall exceed 40 feet in height.

Excerpts from the minutes of April 7, 2025 meeting

Applicant's Presentation:

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

Bradley Dunkle, 425 Oak Street, Gainesville, presented the request. The applicant is requesting to rezone a combined 38.52± acre tract from Agricultural Residential 1 (AR-1) and Suburban Shopping (S-S, GCOD) to Planned Industrial Development (PID, GCOD) to allow permitted uses within the Light Industrial zoning district, with several requested variances to the Gateway Corridor Overlay District (GCOD). The Agricultural Residential 1 (AR-1) zoning of tax parcel 15014 000167 appears to be the original zoning adopted by the county in 1978. Tax parcel 15014 000233, adjacent to Athens Highway, was rezoned from Agricultural Residential IV (AR-IV) to Suburban Shopping (S-S, GCOD) in 2011 to allow for a retail/restaurant development (ZON2011-00024). No development has occurred on the property. Both parcels are undeveloped and heavily wooded with streams present which bisect the subject property and are also located at the rear of the lot.

Public Forum:

Adam Roberts, 1364 Candler Road, Gainesville, spoke in favor. The applicant's business has outgrown its current location, and the increased traffic in the surrounding area hinders ingress and egress. This relocation is intended to facilitate the growth of the business with an improved site configuration.

Planning Commission Comments:

Mr. Braswell asked how far the rear metal building would be from Athens Highway and whether it complied with the Gateway Corridor Overlay District's development standards. The applicant indicated it would be approximately 400 feet from the road frontage and addressed the requested variances.

Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee and Shannon Davidson. Vote: 5-0

Conditions:

1. The property shall be developed in accordance with the site plan dated April 3, 2025, and as described in the project narrative dated February 19, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the property shall be approved by the Georgia Department of Transportation. The developer shall be responsible for all costs associated with improvements necessary for access to the development.
3. 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 Unified Development 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.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the property
5. A 50 foot buffer shall be maintained except designated otherwise as shown on the submitted site plan dated April 3, 2025.
6. A variance to section 6.2.5.C.2.e – Parking Lot Design Standards, as outlined in the submitted narrative, is granted with the following modification: A 30 foot sloped landscape buffer with vegetative screening shall be established along the property line abutting Athens Highway. The planting plan shall require a mixture of evergreen and deciduous trees and shrubs. Final review and approval of the landscape plan shall be subject to the Director of Planning and Zoning, or their designee.
7. Section 6.2.5.B.6 – Additional Landscape and Screening Standards shall be met per the Hall County Unified Development Code.
8. A variance is granted to allow for gravel parking/equipment storage areas per the submitted site plan dated April 3, 2025. All outdoor storage shall be screened per GCOD standards. Outdoor storage shall be defined by those items listed in section 7.6.6.A 1 through 6 in the Hall County Unified Development Code.

9. A variance for parking requirements is granted with the maximum number of parking spaces not to exceed 200.
10. A variance is granted to allow metal siding and roof on the 40,000 square foot building located at the rear of the property as well as on the rear elevation on the 45,000 square foot building located at the front of the property shown on the submitted concept plan dated April 3, 2025. Elevations, colors, and materials shall be subject to the final review and approval of the Director of Planning and Zoning, or their designee.
11. No building shall exceed 40 feet in height.

Staff recommends APPROVAL of the applicant's request with the following conditions:

1. The property shall be developed in accordance with the site plan dated February 19, 2025, and as described in the project narrative dated February 19, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the property shall be approved by the Georgia Department of Transportation. The developer shall be responsible for all costs associated with improvements necessary for access to the development.
3. 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 Unified Development 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.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:

1. **Section 6.2.5.A.2.b – Transitional Buffers** – A transitional buffer is required along and inside the property line of a nonresidential property abutting a residential use. Where an industrial zoning district abuts property zoned for residential or agricultural use, the width must be at least 50 feet
 - The applicant proposes a 30 foot buffer along the north, west, and south property lines and a 15-foot buffer is proposed along the southeast property line adjacent to the proposed drive.
2. **Section 6.2.5.B.6 – Additional Landscape and Screening Standards** – Cuts and fills of slopes must be terraced to blend into the natural terrain. Cut or fill slopes more than 10 feet in height must be landscaped with evergreen shrubbery planted at the rate of 10 shrubs per every 100 lineal feet

- The applicant proposes landscaping of these slopes shall be required only where visible from public road or adjacent property.
3. **Section 6.2.5.C.2.d – Parking Lot Design** - All parking areas must be paved with asphalt, concrete or pervious materials approved by the Director.
- The applicant proposes gravel surface for an area behind the front building, the driveway past the second entrance to the front building, and circulation and parking/storage areas at the rear of the property.
4. **Section 6.2.5.C.2.e – Parking Lot Design** - Off-street parking must be located to the side or rear of the principal building and may not be located between the principal building and the street.
- The applicant proposes 101 of the 199 parking spaces identified on the site plan to be located between the principal building and the street.
5. **Section 6.2.6.A.3 – General Architectural Requirements** - All buildings along U.S. 129 (Athens Highway) are limited to no more than 30 feet in height
- The applicant proposes a building height of 40 feet.
6. **Section 6.2.6.B.3 – Building Materials**
Building materials used for all four sides of new or reconstructed buildings are restricted to the following:
- a. Brick.
 - b. Natural stone such as granite, limestone, marble or similar materials. Terra cotta or cast stone simulating natural stone is also acceptable. Painted stone is prohibited.
 - c. Split-face block/concrete masonry unit (CMU) is restricted to no more than 50 percent of the surface area of each side of a principal nonresidential building.
 - d. Split-face block/concrete masonry unit (CMU) is considered prohibited materials for any multi-family residential building.
 - e. Stucco is restricted to no more than 50 percent of the surface area of each side of a building.
 - f. Glass and glass block.
 - g. Architectural metal panels are restricted to no more than 50 percent of the surface area of each side of a building.
 - h. Precast or prestressed concrete may be used for industrial buildings.
 - i. Exposed concrete block or painted concrete block are considered prohibited materials for any exterior wall.
 - For the building facing Athens Highway, the applicant proposes metal siding on the back of building.
 - For the building located towards the rear of the parcel, the applicant proposes metal siding on all facades and includes a metal roof.

Summary Analysis

The applicant is requesting to rezone a combined 38.52± acre tract from Agricultural Residential 1 (AR-1) and Suburban Shopping (S-S, GCOD) to Planned Industrial Development (PID, GCOD) to allow permitted uses within the Light Industrial zoning district.

The Agricultural Residential 1 (AR-1) zoning of tax parcel 15014 000167 appears to be the original zoning adopted by the county in 1978. Tax parcel 15014 000233, adjacent to Athens Highway was rezoned from Agricultural Residential IV (AR-IV) to Suburban Shopping (S-S, GCOD) in 2011 to allow for a retail/restaurant development (ZON2011-00024). No development has occurred on the property. Both parcels are currently undeveloped and heavily wooded with streams present which bisect the subject property and are also located at the rear of the parcel.

The surrounding properties are zoned and developed as outlined below:

North: Light Industrial (I-1): Pilgrim's Pride chicken hatchery
South: Agricultural Residential 1 (AR-1): agricultural uses
Planned Commercial Farm District (PCFD): agricultural uses
East: Planned Commercial Farm District (PCFD): agricultural uses
West: Agricultural Residential 1 (AR-1): Single-family residences
Planned Commercial Development (PCD, GCOD): BP gas station and 129 Food Mart

Per the submitted narrative, the applicant is requesting to rezone the subject parcel to allow for a light industrial development consisting of up to 85,000 square feet of building space. Per the narrative, proposed uses include office, heavy equipment storage, and warehouse and distribution. The narrative also requests several exceptions to development standards within the Gateway Corridor Overlay District (GCOD) standards.

Per the site plan, the applicant is proposing a 45,000 square foot building adjacent to Athens Highway and another 40,000 square foot building set further back in the development. Additionally, the site plan depicts several gravel outdoor parking and equipment storage areas throughout the development. The parking, located at the front and side of the building closest to Athens Highway, is proposed to be paved with asphalt. Additionally, the applicant is proposing to asphalt pave the front section of the driveway and proposes a transition to a gravel drive where the driveway connects to the parking and equipment storage areas at the rear of the development.

Per the site plan, a 30 foot transitional buffer is depicted along the north, west, and southern property lines. The applicant has requested to reduce the transitional buffer to 15 feet along the southeast property line along the proposed driveway. This does not meet the minimum standard of a 50-foot transitional buffer.

Water service is available from the City of Gainesville as described in a letter dated January 14, 2025, and sanitary sewer services will be provided by private septic systems.

Several exceptions from Gateway Corridor Overlay District (GCOD) standards are being requested. The development standards for the project are identified in the table below and compared to the GCOD requirements:

GCOD Analysis

<u>Standard</u>	<u>Proposed</u>	<u>Notes</u>	<u>Compliance</u>
6.2.5.A. – Transitional buffers	15 foot buffer proposed along the southeastern property line; 30 foot buffer proposed along all other side and rear property lines.	50 foot buffer required.	Deficient
6.2.5.B.1 – Additional Landscape and Screening	Exception to require landscaping of slopes only where visible from public road or adjacent property.		Deficient
6.2.5.B.2 – Additional Landscape and Screening	20 foot wide landscape strip along street frontage	Minimum 10 foot wide landscape strip along street frontage required	Complies
6.2.5.C.1 – Parking Lot Design - Required # of Parking Spaces	200 parking spaces proposed around the front building	Percentage of uses and end users are unknown. Parking calculations are dependent on uses.	Unknown
6.2.5.C.2.d – Parking Lot Design - Surface	Gravel surface proposed behind the front building and around the rear building for parking and equipment storage. Gravel surface proposed for the driveway as it continues further into the property.	All parking areas must be paved with asphalt, concrete or pervious materials.	Deficient
6.2.5.C.2.e – Parking Lot Design - Location	101 of the 199 parking spaces on the site plan are proposed between the primary building and the street	Off-street parking must be located to the side or rear of the principal building and may not be located between the building and the street.	Deficient
6.2.5.D – Outdoor lighting	Unknown	Shall comply with GCOD standards.	Unknown
6.2.6.A.3 – Architectural Standards - Height	Building height of 40 feet proposed.	All buildings along U.S. 129 (Athens Hwy) are limited to 30 feet in height.	Deficient
6.2.6.B.3 - Architectural Standards – Building Materials	Front building: metal siding on rear elevation Rear building: metal siding on all elevations		Deficient
6.2.6.C.1 – Architectural Standards - Roof	Metal roof proposed for rear building	Metal roofs are limited to factory finished metal with standing seams.	Unknown
6.2.7 – Signs	Signage not proposed	Signage shall comply with GCOD standards.	Unknown

Based on the future land-use plan, staff finds the request is consistent with the Comprehensive Plan and future land use designation of Business or Employment Nodes & Corridors within the East Hall Character Area. The intent of this future land use designation is higher-intensity commercial uses, low-intensity, consumer-facing industrial uses that serve nearby communities, and higher density residential where appropriate. Similarly, new employment nodes and corridors should feature industrial and office uses within formalized campuses or along major roads with access to water and sewer, with potential inclusion of higher density residential for housing nearby industry employees. In both cases, site designs should adhere to the Quality Development Principles, emphasizing natural resource protection and high-quality landscaping. This future land use designation supports Light Industrial uses within the East Hall Character Area.

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 rezoning is suitable in view of the use and development of adjacent and nearby property along Athens Highway as there are other light industrial uses in the area.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed rezoning will adversely affect nearby 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; **If approved, the use is not anticipated to cause an excessive or burdensome use of the existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service.**
- 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 and the “Business or Employment Nodes & Corridors” future land use designation.**
- 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 affected 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 values 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; **A residence located on 3566 Athens Highway was demolished in 2001. Currently, the property is undeveloped.**
- j) 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.**
- k) Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning is a Planned Industrial Development (PID). Per the Hall County Unified Development Code, Planned Development Districts are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment.**
- l) 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.**
- m) Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The request does not appear to be out of scale with the needs of the immediate neighborhood or the county as a whole.**
- n) 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 industrial uses based on the Future Land Use Map.**
- o) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request could not be handled alternatively as a variance.**
- p) 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.**

- q) 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 March 4, 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 March 6, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office considers the plan conceptual in nature and if approved may require modifications during the development review process."

Hall County Public Works and Utilities

In a memo dated March 6, 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.

Show stream buffer and impervious setback from wrested vegetation not centerline of stream.

Traffic:

GDOT access permit required

Utilities:

No comment

Georgia Department of Transportation

In an email dated March 3, 2025, Henry Stevens, GDOT Civil Engineer 2, stated that GDOT coordination is required.