

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant Academy P1 Building, LLC

Request **Rezone** | from Agricultural Residential 1 (AR-1)
to Highway Business (H-B)

Proposed Use Indoor recreation facility

Size 2.22± acres

Zoning **Current:** Agricultural Residential 1 (AR-1)
Proposed: Highway Business (H-B)

Location **5970 Cleveland Highway** | Tax Parcel 12064
000012

Commission District Three

Planning Commission Date July 21, 2025

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

Record Number.....HZON25-0030

Planning Commission Recommendation**Approval, with conditions**

Vote: 4-0

Planning Commission Conditions:

- 1. The property shall be developed in accordance with the site plan and narrative dated no later than August 4, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval with the exception of the following
 - a. The development shall provide 30 parking spaces.
 - b. The transitional buffer shall be increased to 25 feet on all sides except the right-of-way and include a 6 foot opaque privacy fence

2. Access to the development shall be approved by Georgia Department of Transportation (GDOT) and all traffic engineering standards shall be met. The developer shall be responsible for all associated costs with improvements necessary for 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 the Fire Marshal, and Hall County Engineering except when noted in these conditions.
4. All conditions of zoning shall be made a part of any plats created for the property.
5. 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."
6. Hours of operation are restricted to Monday – Saturday 8:00 am to 8:00 pm and Sunday 11:00 am to 5:00 pm.
7. All training activities shall take place inside the facility.
8. All signage shall comply with GCOD standards.
9. The following uses, typically allowed in H-B zoning, shall be prohibited:
 - a. Day care centers
 - b. Commercial amusement, indoor
 - c. Concert hall - auditorium
 - d. Theater
 - e. Hotel/Motel
 - f. Animal Care, Indoor & Outdoor
 - g. Funeral home
 - h. Laundry & dry cleaning
 - i. Boat & recreational vehicle sales, rental, or service
 - j. Car wash
 - k. Vehicle sales, rental or auction
 - l. Vehicle repair, minor
 - m. Outdoor storage
 - n. Swimming pool, hot tub, spa
 - o. Radio, film, recording, and television studios and stations
 - p. Indoor shooting range
10. There shall be no alcohol sales on the premises.
11. There shall be no live wrestling events or shows on the subject property. Only activities typically associated with an athletic gym and training facility will be allowed.

Excerpts from the minutes of the July 21, 2025 meeting

Applicant's Presentation:

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

Eric Johansen, 3938 Oak Crossing Drive, Suwannee, presented the request. The applicant is requesting to rezone a 2.22± acre tract from Agricultural Residential 1 (AR-1) to Highway Business (H-B) for an indoor recreation facility to provide training for professional wrestlers. The parcel is vacant and partially forested. The property also falls within the Gateway Corridor Overlay District (GCOD), which requires adherence to additional standards for nonresidential development.

Public Forum:

Lloyd Jackson Campbell, Jr., 6020 Cleveland Highway, Clermont, spoke in opposition. Concerns raised were the possibility of the impact of development on an underground drainage pipe connecting the subject property to Mr. Campbell's property, which could cause flooding on his property. He stated that he does not believe a portion of the land is buildable due to it consistently being wet.

Two comments in opposition were received electronically.

Planning Commission Comments:

Mr. Hunt asked the applicant if they were aware of the water culvert. The applicant stated they were unaware but they were going to review the recently completed surveys and there would be site inspections completed as part of the development process. The applicant stated the lower area of the property would have a detention pond and stated the building inspections' phase would ensure there would not be water runoff. Mr. Hunt asked for clarification regarding the use of the gym. The applicant explained the gym would be used by a professional wrestler to train other wrestlers and for sports rehabilitation, and no membership or public use would be allowed. Mr. Hunt asked the applicant what are the intended hours of operation and the applicant stated Sunday to Saturday 8am to 8pm. Mr. Hunt offered the hours of 11am to 5pm on Sundays and the applicant was agreeable. Mr. Hunt asked how much on-site parking would be needed. The applicant stated approximately half but the design had to meet the UDC requirement for the use. Mr. Hunt and the applicant discussed reducing the layout to 30 parking spaces and increasing the transitional buffers between the surrounding properties from 15 feet to 25 feet plus a 6 foot high fence.

Mr. Braswell explained to the applicant that any required revisions to the concept plan based on the zoning conditions shall be subject to the approval of the Director of Planning and Zoning before the request goes before the Board of Commissioners. The amended site plan must be submitted to the Director for review within 10 business days of the Planning Commission's recommendation.

Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 4-0

Conditions:

1. The property shall be developed in accordance with the site plan and narrative dated no later than August 4, 2025, modified as necessary for compliance with conditions herein and

development standards enforced at the time of site plan approval with the exception of the following

- a. The development shall provide 30 parking spaces.
 - b. The transitional buffer shall be increased to 25 feet on all sides except the right-of-way and include a 6 foot opaque privacy fence
2. Access to the development shall be approved by Georgia Department of Transportation (GDOT) and all traffic engineering standards shall be met. The developer shall be responsible for all associated costs with improvements necessary for the development.
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 - l. Vehicle repair, minor
 - m. Outdoor storage
 - n. Swimming pool, hot tub, spa
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 - p. Indoor shooting range

- 10. There shall be no alcohol sales on the premises.
- 11. There shall be no live wrestling events or shows on the subject property. Only activities typically associated with an athletic gym and training facility will be allowed.

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

- 1. The property shall be developed in accordance with the site plan and narrative dated May 20, 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 Georgia Department of Transportation (GDOT) and all traffic engineering standards shall be met. The developer shall be responsible for all associated costs with improvements necessary for 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 the Fire Marshal, and Hall County Engineering.
- 4. All conditions of zoning shall be made a part of any plats created for the property.

Summary Analysis

The applicant is requesting to rezone a 2.22± acre tract from Agricultural Residential 1 (AR-1) to Highway Business (H-B) for an indoor recreation facility. The parcel is vacant and partially forested. The property also falls within the Gateway Corridor Overlay District (GCOD), which requires the adherence to additional standards for nonresidential development.

The surrounding properties are zoned and developed as outlined below:

- North: Agricultural Residential 1 (AR-1): Developed with a single-family home; and
 Town of Clermont: Developed with Hall County Fire Station 2
- East: Agricultural Residential 1 (AR-1): Developed with a single-family home
- South: Agricultural Residential 1 (AR-1): Developed with a single-family home; and
 Town of Clermont: Developed with a church
- West: Agricultural Residential 1 (AR-1): Undeveloped; and
 Highway Business (H-B): Developed with a gas station

Per the submitted narrative and site plan, the applicant is requesting to rezone the subject parcel to Highway Business (H-B) to construct a professional wrestling training academy and gym. The proposed development will include a single-story 10,000± square foot building and 53 parking spaces. The submitted narrative states that the proposed building elevations will meet the GCOD standards.

Per the submitted site plan, a stormwater management pond will be located on the southwest portion of the property furthest away from Cleveland Highway. A 10 foot landscape strip and parking lot landscaping is depicted on the site plan, as well as a 15 foot transitional buffer along neighboring property lines which includes a 6 foot opaque fence.

Per the site plan, a single access point is proposed off Cleveland Highway with a 5 foot sidewalk leading into the development. A septic drain field area is proposed in the northern area of the property.

Water service will be provided by the City of Gainesville Department of Water Resources as confirmed in an email dated May 25, 2025. Sanitary sewer service will be provided by an on-site septic system.

The development standards for the project are identified in the table below compared to the GCOD requirements (6.2):

GCOD Analysis

Standard	Proposed Work	Notes	Compliance
6.2.5.A.– Transitional buffers	15-foot transitional buffer with a 6-foot opaque fence.	A 25 foot transitional buffer is required adjacent to residential property. Buffers shall comply with GCOD standards. If a 6 foot high solid wood fence or masonry wall is incorporated into the design of a transitional buffer, the width of the buffer may be reduced by no more than 10 feet. The fence or wall must be located on the inside of the vegetation required in Sec. 6.2.5.A.3., with the finished side facing the adjacent property.	Complies
6.2.5.B.1 – Additional Landscape and Screening	The narrative states that the property will fully comply with GCOD standards.	Shrubs must be planted within ten feet of the foundation of the primary structure along each building facade at the rate of at least 20 shrubs per 100 lineal feet of building facade except for sides or rear of building used for loading or service areas.	Complies

		Foundation plantings may be clustered to provide visual interest.	
6.2.5.B.2 – Additional Landscape and Screening	10 foot wide landscape strip along street frontage	Along each street frontage there must be a landscape strip at least 10 feet in width except for perpendicular crossings for driveways and utilities.	Complies
6.2.5.C.1 – Parking Lot Design -Required # of Parking Spaces	53 parking spaces	Off-street parking space calculations are governed by Sec. 8.1 of the UDC. 52.5 parking spaces are required.	Complies
6.2.5.C.2.e – Parking Lot Design - Location	Parking is located along the side of the proposed building.	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.	Complies
6.2.5.D – Outdoor lighting	The narrative states the property will fully comply with GCOD standards.	Shall comply with GCOD standards.	Complies
6.2.6 - Architectural Standards	The narrative states the property will fully comply with GCOD standards.	Shall comply with GCOD standards	Complies
6.2.7 – Signs	A freestanding sign is identified on the site plan and appears to encroach into the required 15-foot setback.	Signage shall comply with GCOD standards.	Deficient
6.2.7 - Signs	The narrative states the property will fully comply with GCOD standards.	One wall sign is permitted along each facade adjacent to a public right of way.	Complies

Based on the future land use plan, staff finds the special use request *is consistent* with the Comprehensive Plan’s future land use classification of Business Nodes & Corridors. The intent of this future land use designation is for new development along these major road corridors and intersections to consist of higher-intensity commercial uses, low-intensity, consumer-facing industrial uses that house businesses that serve nearby communities, and with 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 Highway Business (H-B) 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 use would adversely affect adjacent or nearby property provided required buffers are maintained.**
- 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.**
- 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 the existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service. The property is served by Hall County sewer and City of Gainesville public water.**
- 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 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; **The property is vacant and there is no record of past development.**

- 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, Highway Business (H-B), would not create an isolated district.**
- 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; **No, the request is not out of scale with the needs of 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 Highway Business uses based on the Future Land Use Map; however, the development as proposed requires rezoning approval by the Board of Commissioners.**
- 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 June 16, 2025, Emily McGahee stated, "Must meet all Environmental Health commercial septic system permitting requirements. 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."

Georgia Department of Transportation

In an email dated June 16, 2025, Nakia Nembhard, GDOT Civil Engineer 3, stated that GDOT coordination is required.

Gainesville-Hall Metropolitan Planning Organization

In an email dated June 12, 2025, Joseph Boyd, MPO Director, provided the following comment: "This parcel is along US 129, which is expected to be widened with construction scheduled for 2040 (GH-035/PI0014129). Pre-engineering is scheduled for 2035, where further details, including right-of-way impacts, will be established."

Hall County Public Works and Utilities

In a memo dated June 20, 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:

G-DOT coordination

Commercial driveway if no access to SR 11

Utilities:

Clermont sewer service area.

Hall County Fire Marshal

In an email dated June 13, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "If approved the site development plan may require modifications during the development review process."