

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant NCP Holding, LLC

Request **Rezone** | from Agricultural Residential 1 (AR-1) and Residential 1 (R-1) to Light Industrial (I-1)

Proposed Use Uses permitted in I-1

Size 84.35± acres

Zoning **Current:** Agricultural Residential 1 (AR-1) & Residential 1 (R-1) | **Proposed:** Light Industrial (I-1)

Location **5019 Cagle Mill Road** | Tax parcel 15007 000206A

Commission District Three

Planning Commission Date September 15, 2025

Staff Recommendation **Denial**, as the proposed development is not consistent with the “Suburban Neighborhood, Low Density” future land use designation in the Comprehensive Plan.

Record Number.....HZON25-0031

Planning Commission Recommendation**Approval, with conditions**

Vote: 4-0 (Davidson absent)

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated September 19, 2025, and as described in the project narrative dated May 27, 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. All buildings within Phase 2 of the development shall be limited to a total of 600,000 square feet.

4. A 100 foot undisturbed natural vegetative stream buffer and 150 foot impervious setback as measured from the edges of the bank shall be applicable to the North Oconee River only. All other streams shall maintain a 50 foot undisturbed natural vegetative stream buffer and 75 foot impervious setback, as measured from the edges of the stream bank.
5. During construction, the developer shall install additional erosion and sediment control measures to protect the streams and all of the properties downstream from the development. These measures must be monitored and approved by the Hall County Engineering Department.
6. 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."
7. Tilt up concrete construction and TPO roof systems shall be allowed but all buildings shall be constructed with neutral exterior colors as approved by the Director of Planning and Zoning, or their designee.
8. Architectural roof panels shall be allowed with the color being approved by the Director of Planning and Zoning, or their designee.
9. The applicant must satisfy public water and Hall County sewer requirements prior to final plat approval or development.
10. The development shall obtain the appropriate land disturbance permit and building permit prior to commencing the land use.
11. Restrictive covenants for the development shall be recorded prior to release of final plat.
12. Front building setbacks along Cagle Mill Road shall be as shown on the site plan dated September 19, 2025 and noted as "zoning buffers."
13. Parking space requirements and parking lot design shall meet current guidelines of the Hall County Unified Development Code at the time of development.
14. Development shall occur via a phased development review process and phased land disturbance permit process so as to reduce erosion. The applicant shall provide phase lines on the submitted plans at the time of LDP application.
15. The applicant shall submit all NPDES reports on a timely basis to the Georgia EPD and shall submit copies of all such reports to the County Engineer at the time of their submission to EPD.
16. 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. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved herein.

17. All conditions of zoning shall be made part of any plats or plans created for the property.
18. An undisturbed zoning buffer shall be maintained as depicted on the submitted site plan dated September 19, 2025. Areas within the buffer that are sparsely vegetated shall be supplemented with additional plantings, with final review and approval subject to the Director of Planning and Zoning or their designee.
19. Access from Cagle Mill Road shall be emergency access only as shown on the submitted site plan dated September 19, 2025.

Excerpts from the minutes of the October 6, 2025 meeting. These minutes have not yet been approved by the Planning Commission.

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request and recent changes to the site plan. Mr. Hunt asked Ms. Greenway whether the staff report's recommendation of denial was based on the original site plan submitted. Ms. Greenway stated that the denial was based on the inconsistency of the application and the Comprehensive Plan. Beth Garmon, Director of Planning and Zoning, clarified that although a revised site plan was submitted, staff did not make any changes to the staff report.

Ed Myers, 752 Chattahoochee Place, Gainesville, presented the request. The applicant asked Ms. Greenway to clarify the use of lot lines and subdividing the property. Ms. Greenway stated that any subdivision of the property requires a special use application to be approved by the Board. The applicant is requesting to rezone an 84.35± acre tract from Agricultural Residential 1 (AR-1) and Residential 1 (R-1) to Light Industrial (I-1) to allow uses permitted in the Light Industrial zoning district. Specifically, the property would serve as a second phase of the future North Oconee Industrial Park, adding an additional 672,500 square feet to the overall development if approved. The subject parcel is within the North Oconee Water Supply Watershed District. This district is subject to impervious surface area restrictions which are reviewed and monitored by the Hall County Engineering Department. Currently, the site is developed with two accessory buildings and is otherwise heavily forested. The North Oconee River and a tributary stream run through the property. The southern area of the property includes County Studied and FEMA flood zones.

Public Forum:

Jodi White, 5166 Whitehall Road, Lula, spoke in opposition. Her concerns included that the proposed buffer to the adjacent property (tax parcel 15007 000185) could set a precedent for future applications, and that the current roadway could not support the increased traffic. She noted that the projected road widening project might improve traffic capacity once completed.

Planning Commission Comments:

Mr. Hunt asked the applicant whether they would be agreeable to reducing the square footage of Phase II to 600,000 square feet. The applicant agreed. Mr. Hunt also asked for confirmation that access from Cagle Mill Road would be used only for emergency services. The applicant confirmed this and indicated on the site plan that the existing landscaping would remain undisturbed, with additional landscaping to be planted behind Building 3.

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

Conditions:

1. The property shall be developed in accordance with the site plan dated September 19, 2025, and as described in the project narrative dated May 27, 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. All buildings within Phase 2 of the development shall be limited to a total of 600,000 square feet.
4. A 100 foot undisturbed natural vegetative stream buffer and 150 foot impervious setback as measured from the edges of the bank shall be applicable to the North Oconee River only. All other streams shall maintain a 50 foot undisturbed natural vegetative stream buffer and 75 foot impervious setback, as measured from the edges of the stream bank.
5. During construction, the developer shall install additional erosion and sediment control measures to protect the streams and all of the properties downstream from the development. These measures must be monitored and approved by the Hall County Engineering Department.
6. 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."
7. Tilt up concrete construction and TPO roof systems shall be allowed but all buildings shall be constructed with neutral exterior colors as approved by the Director of Planning and Zoning, or their designee.
8. Architectural roof panels shall be allowed with the color being approved by the Director of Planning and Zoning, or their designee.

9. The applicant must satisfy public water and Hall County sewer requirements prior to final plat approval or development of any individual lots.
10. The appropriate land disturbance permit and building permit prior to commencing the land use.
11. Restrictive covenants for the development shall be recorded prior to release of final plat.
12. Front building setbacks along Cagle Mill Road shall be as shown on the site plan dated September 19, 2025 and noted as "zoning buffers."
13. Parking space requirements and parking lot design shall meet current guidelines of the Hall County Unified Development Code at the time of development.
14. Development shall occur via a phased development review process and phased land disturbance permit process so as to reduce erosion. The applicant shall provide phase lines on the submitted plans at the time of LDP application.
15. The applicant shall submit all NPDES reports on a timely basis to the Georgia EPD and shall submit copies of all such reports to the County Engineer at the time of their submission to EPD.
16. 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. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved herein.
17. All conditions of zoning shall be made part of any plats or plans created for the property.
18. An undisturbed zoning buffer shall be maintained as depicted on the submitted site plan dated September 19, 2025. Areas within the buffer that are sparsely vegetated shall be supplemented with additional plantings, with final review and approval subject to the Director of Planning and Zoning or their designee.
19. Access from Cagle Mill Road shall be emergency access only as shown on the submitted site plan dated September 19, 2025.

Excerpts from the minutes of the September 15, 2025 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request. She noted that an updated site plan was provided today.

Clint Dixon, 5230 Bellewood Court, Buford, presented the request. The applicant is requesting to rezone an 84.35± acre tract from Agricultural Residential 1 (AR-1) and Residential 1 (R-1) to Light Industrial (I-1) to allow uses permitted in the Light Industrial zoning district. Specifically, the property would serve as a

second phase of the future North Oconee Industrial Park, adding an additional 672,500 square feet to the overall development if approved.

The subject parcel is within the North Oconee Water Supply Watershed District. This district is subject to impervious surface area restrictions which are reviewed and monitored by the Hall County Engineering Department. Currently, the site is developed with two accessory buildings and is otherwise heavily forested. The North Oconee River and a tributary stream run through the property. The southern area of the property includes County Studied and FEMA flood zones.

Public Forum:

Jodi White, 5166 Whitehall Road, Lula, asked for the application to be tabled to allow the community time to review the updated plan which was submitted on the day of the public hearing.

Vicki Herrington, 5087 Cagle Mill Road, Lula, spoke in opposition and asked for the application to be tabled due to the revisions to the site plan.

Kim Frisbie, 6037 Julian Baugh Road, Lula, spoke in opposition and asked for the application to be tabled as the community would like time to review the new site plan.

Catherine Carney, 5095 Cagle Mill Road, Lula, spoke in opposition. Concerns raised were that the application does not match the current character of the community and that the development would increase traffic. Ms. Carney also asked for the application to be tabled to allow the community time to review the updated plan.

Adam Maddox, 4905 Cagle Mill Road, Lula, attended the meeting to represent his parents who live in the area and spoke in opposition. Mr. Maddox stated that the site plan shows one of the proposed warehouses located in a flood zone and he is concerned about the ramifications to his parents' home. Additional concerns raised were the possibility of the development negatively affecting surrounding property values and also generating increased noise in the area. He asked if there would be privacy fencing between the development and the adjacent residential properties.

Planning Commission Comments:

Mr. Hunt stated that because he was out of town, the site plan was recently changed as a result of discussions with the applicant and Commissioner Poole of the county's Board of Commissioners regarding concerns with the proposed development. Mr. Hunt asked if the applicant would be agreeable to tabling the application to allow citizens to review the updated site plan. The applicant asked if they could remain on their current Board of Commissioners' meeting date. Mr. Hunt asked Ms. Beth Garmon, Director of Planning and Zoning, if scheduling would allow for the application to be tabled to the October 6, 2025 Planning Commission meeting and remain scheduled for the October 23, 2025 Board of Commissioners meeting. Ms. Garmon stated this is possible provided the application was not tabled again.

Motion: A motion to table to October 6, 2025 was made by Stan Hunt and seconded by André Castleberry. Vote: 4-0 (Sosebee absent)

Excerpts from the minutes of the July 21, 2025 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, stated the applicant has requested to table to a future meeting date.

Motion: A motion to table to September 15, 2025 was made by Stan Hunt and seconded by Frank Sosebee and Shannon Davidson. Vote: 4-0

Staff recommends **DENIAL** of the applicant's request. However, if the board chooses to approve the request, staff recommends the following conditions:

1. The property shall be developed in accordance with the site plan dated May 23, 2025, and as described in the project narrative dated May 27, 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. All buildings within Phase 2 of the development shall be limited to a total of 672,500 square feet.
4. A 100 foot undisturbed natural vegetative stream buffer and 150 foot impervious setback as measured from the edges of the bank shall be applicable to the North Oconee River only. All other streams shall maintain a 50 foot undisturbed natural vegetative stream buffer and 75 foot impervious setback, as measured from the edges of the stream bank.
5. During construction, the developer shall install additional erosion and sediment control measures to protect the streams and all of the properties downstream from the development. These measures must be monitored and approved by the Hall County Engineering Department.
6. 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."
7. Tilt up concrete construction and TPO roof systems shall be allowed but all buildings shall be constructed with neutral exterior colors as approved by the Director of Planning and Zoning, or their designee.

8. Architectural roof panels shall be allowed with the color being approved by the Director of Planning and Zoning, or their designee.
9. The applicant must satisfy Hall County public water and sewage requirements prior to final plat approval or development of any individual lots.
10. Each individual lot shall obtain the appropriate land disturbance permit and building permit prior to commencing the land use.
11. Restrictive Covenants for the development shall be recorded prior to release of final plat.
12. Front building setbacks along Cagle Mill Road shall be 75 feet from the property line.
13. Parking space requirements and parking lot design shall meet current guidelines of the Hall County Unified Development Code.
14. Development shall occur via a phased development review process and phased land disturbance permit process so as to reduce erosion. The Applicant shall provide phase lines on the submitted plans at the time of LDP application.
15. The applicant shall submit all NPDES reports on a timely basis to the Georgia EPD and shall submit copies of all such reports to the County Engineer at the time of their submission to EPD.
16. 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. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved herein.
17. All conditions of zoning shall be made part of any plats or plans created for the property.

Summary Analysis

The applicant is requesting to rezone an 83.35± acre tract from Agricultural Residential 1 (AR-1) and Residential 1 (R-1) to Light Industrial (I-1) to allow uses permitted in the Light Industrial zoning district. Specifically, the property would serve as a second phase of the future North Oconee Industrial Park, adding an additional 672,500 square feet to the overall development if approved.

The subject parcel is within the North Oconee Water Supply Watershed District. This district is subject to impervious surface area restrictions which are reviewed and monitored by the Hall County Engineering Department. Currently, the site is developed with two accessory buildings but is otherwise heavily forested. The North Oconee River and a tributary stream run through the property. The southern area of the property includes County Studied and FEMA flood zones.

The surrounding properties are zoned and developed as outlined below:

- North: Light Industrial (I-1) – Undeveloped, approved for the North Oconee Industrial Park
- East: Agricultural Residential 1 (AR-1) – Developed with single-family residences and undeveloped parcels
- South: Agricultural Residential 1 (AR-1) – Developed with single-family residences and undeveloped parcels
- West: Light Industrial (I-1) – Undeveloped, approved for the North Oconee Industrial Park

The approximately 10.58± acres portion of the subject parcel zoned Residential 1 (R-1) was rezoned from Agricultural Residential III (AR-III) on February 27, 1989 for a 7-lot subdivision; no development plans for the subdivision have been submitted to the county for review.

As stated, the subject property is proposed to be a second phase of the North Oconee Industrial Park, which is located on the adjacent property zoned Light Industrial (I-1), identified as 4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road. The property was rezoned to L-1 on February 23, 2023 to allow an industrial park with an aggregate building square footage of 1,067,000 square feet (HZON23-0008), subject to the following conditions:

1. The development shall occur substantially as depicted on the site plan dated August 15, 2022 and described in the project narrative. The developer may be allowed to adjust lot lines and the quantity of lots due topographical, ecological, or geological constraints, as long as the total aggregate building square footage does not exceed 1,067,000 sq. ft. for the entire development.
2. The proposed development may contain flood zones. The site shall require a stormwater management report. The proposed development is located in the North Oconee watershed overlay, which requires that all stream buffers and setbacks be double the normal setback as measured from wrested vegetation (not the centerline of the stream) from 50 foot to 100 foot. The impervious buffer is 150 foot instead of 75 foot.
3. During construction the developer shall install additional erosion and sediment control measures to protect the streams and all of the properties downstream from the development. These measures must be monitored and approved by the Hall County Engineer's Office.
4. The development shall follow the standard preliminary and final plat review process found in Section 16.40 of the Hall County Code.
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. The necessary Georgia Department of Transportation (GDOT) permit shall be required prior to issuance of a land disturbance permit (LDP).
7. Tilt up concrete construction and TPO roof systems shall be allowed but all buildings shall be constructed with neutral exterior colors as approved by the Director of Planning and Development.

8. Architectural roof panels shall be allowed with the color being approved by the Director of Planning and Development.
9. All conditions of zoning shall be made part of any plats created for the property.
10. Adult establishments, astrologers, clairvoyants, fortune tellers, palmists, phrenologists, tattoo, body piercing, and body modification establishments shall be prohibited.
11. No Land Disturbance permit (LDP) shall be issued until all IFC (Fire Code) concerns have been adequately addressed and the plans receive Fire Marshal approval.
12. The applicant must satisfy Hall County public water and sewage requirements prior to final plat approval or development of any individual lots.
13. Each individual lot shall obtain the appropriate land disturbance permit and building permit prior to commencing the land use.
14. Development Restrictive Covenants shall be recorded prior to release of final plat.
15. Front building setbacks along Highway 365 and Cagle Mill Road shall be 100 feet from the center line of the street or 75 feet from the property line, whichever is greater.
16. Parking space requirements and parking lot design shall meet Hall County guidelines.
17. Development shall occur via a phased development review process and phased land disturbance permit process so as to reduce erosion. The Applicant shall provide phase lines on the submitted plans at the time of LDP application.
18. The applicant shall submit all NPDES reports on a timely basis to the Georgia EPD and shall submit copies of all such reports to the County Engineer at the time of their submission to EPD.
19. If any of these conditions are not addressed and reflected on the site plan and/or other supporting documents as necessary when applying for the LDP, then the County shall reject the LDP application and request all matters to be addressed prior to the application's acceptance.

A concurrent application for the property at 4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road (HZCU25-0029) has been submitted to amend condition #2 of the previous zoning action to require that a 100 foot undisturbed buffer and 150 foot impervious setback be applicable to the North Oconee River only and that all other streams on the property be subject to the standard 50 foot undisturbed buffer and 75 foot impervious setback. The applicant requests that the same stream buffer and setback standard be applied to this rezoning request.

Per the submitted site plan, the proposed development includes five buildings:

- Building 1 - 160,000 square feet
- Building 2 - 100,000 square feet
- Building 3 - 140,000 square feet
- Building 4 - 80,000 square feet
- Building 5 – 192,500 square feet

The square footage of all 5 buildings totals 672,500 square feet. Each building is surrounded by employee and truck parking/loading areas. Primary access to the site will be from State Route 365 (Cornelia Highway) through Phase 1 of the North Oconee Industrial Park. Two driveways on Cagle Mill Road would provide emergency access only.

The submitted site plan shows the required transitional vegetated buffer of 50 feet adjacent to residentially-zoned properties, as well as the required 100 foot undisturbed buffer and 150 foot impervious setback from the North Oconee River. A 50 foot undisturbed buffer and 75 foot impervious

setback associated with the stream along the northern property line are proposed with the assumption that the amended condition for the concurrent request will be approved, reducing the buffers on streams other than the North Oconee River.

Per the narrative, the proposed uses will be those allowed in the Light Industrial zoning district. The majority of the development is expected to be offices and warehouses.

Water service will be provided by the City of Gainesville Water Resources Department as confirmed by an email dated June 3, 2025. Sanitary sewer service will be provided by Hall County as confirmed by an availability letter dated May 30, 2025.

On June 30, 2025, Hall County Staff received Development of Regional Impact (DRI) review findings from Adam Hazell, Planning Director with the Georgia Regional Commission (GRMC). These findings determined that the project does not present any potential adverse interjurisdictional impacts.

Based on the future land use plan, staff finds the requested rezoning is not consistent with the Hall County Comprehensive Plan and the future land use designation of Suburban Neighborhood, Low Density. These areas consist of low-density, detached single-family housing. In less developed areas of the county, they should be focused where there is existing water and sewer infrastructure, or where future infrastructure is expected to be located. Future infrastructure may be driven by the Sewer System Master Plan & Rate Study or by developers willing to fund access where it isn't already planned.

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 not compatible with the use and development of adjacent and nearby property to the south and east, as these areas are zoned Agricultural Residential 1 (AR-1) and are developed with agricultural and low density residential uses. Although the proposed zoning is not consistent with the intent of the Suburban Neighborhood, Low Density future land use designation in the Comprehensive Plan, the property to the north and east is zoned Light Industrial (I-1) and the proposed use is intended to align with the current zoning of that tract.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed rezoning to Light Industrial may adversely affect nearby agricultural and residential 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.**
- 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 likely to cause an excessive or burdensome use of the existing streets, as access to lower**

classified streets is limited and most traffic will be limited to State Route 365 (Cornelia Highway).

- 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 zoning is not consistent with the intent of the Suburban Neighborhood, Low Density future land use designation in the Comprehensive Plan.**
- 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 currently developed with two accessory structures and is otherwise undeveloped and forested.**
- 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 Light Industrial (I-1). The property adjacent to the north and west is also zoned Light Industrial (I-1) and approved for an industrial park. The change would not create an isolated district unrelated to the surrounding developments and districts.**
- 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 may be considered out of scale with the needs of the immediate neighborhood as the surrounding area to the south and west is zoned for agricultural and residential uses, and the proposed use is not supported by future land use designation of Suburban Neighborhood, Low Density as specified in the Hall County Comprehensive Plan.**

- 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 light industrial uses based on the Future Land Use Map and existing zoning 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; however, a traffic study will be required by Hall County Traffic.**

Development Support and Constraints

Hall County Environmental Health

In an email dated August 13, 2025, Emily McGahee stated, "No comment. Public sewer."

Georgia Department of Transportation

In an email dated August 18, 2025, Nakia Nembhard, GDOT Civil Engineer 3, stated that GDOT coordination is required.

Hall County Public Works and Utilities

In a memo dated August 15, 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 FEMA and Hall County studied Flood plains that are present onsite.
Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
North Oconee Reservoir Watershed District requires 100-foot stream buffers with a 150-foot no impervious set back on both sides of the stream as measured from the stream banks.

Traffic:

Traffic impact study may be required.
Improvements to Cagle Mill Road may be required.

Utilities

Hall County sewer area.
12" gravity sewer is available along Cornelia Hwy on the south side.
Sewer infrastructure is available along Cornelia Highway.

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."