

**HALL COUNTY BOARD OF COMMISSIONERS  
STAFF REPORT**

**Applicant** ..... Gerardo Vargas

**Request** ..... **Special Use** | Vehicle Repair, Major

**Proposed Use** ..... Vehicle Repair, Major

**Size** ..... 4.17± acres

**Zoning** ..... Light Industrial (I-1)

**Location** ..... **2567 Athens Highway** | Tax Parcel 15023  
000022

**Commission District** ..... Three

**Commission Date** ..... March 26, 2026

**Staff Recommendation** ..... **Approval, with conditions**, as the proposed use aligns with the intent of the zoning district, future land use designation, and is compatible with surrounding commercial and residential land uses.

**Record Number(s)** ..... HZCU26-0004

**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 4, 2026, and the project narrative dated January 16, 2026, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The storage of wrecked, junk, and/or inoperable vehicles shall be prohibited.
3. All repair activity must occur within a building or within a screened area behind the primary building.
4. Any future development or modifications shall be subject to the standards of the Gateway Corridor Overlay District. No variances are granted from these standards, other than those shown on the submitted site plan.
5. All conditions of zoning shall be made part of any plats created for the property.

## Summary Analysis

The applicant is requesting approval of a Special Use to allow Vehicle Repair, Major, specifically auto body and automotive repair, on a 4.17± acre tract zoned Light Industrial (I-1) within the Gateway Corridor Overlay District (GCOD).

According to Tax Assessor records, the property is currently developed with the following structures:

- 15,396 square foot warehouse building constructed in 1969.
- 2,616 square foot office building constructed in 1979.
- 3,460 square foot shop building built in 1969
- 4,750 square foot pole shed constructed in 1970.

The property was rezoned from Agricultural Residential III (AR-III) and Agricultural Residential IV (AR-IV) to Light Industrial (I-1) on July 30, 2000, (ZON2000-00007) to allow a general contracting business subject to the following condition:

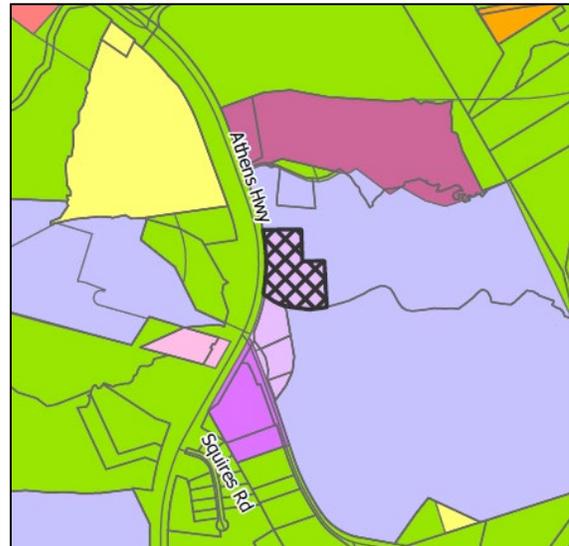
1. The following uses are prohibited: Adult entertainment, hotels, junkyards and service stations.

Previous businesses at this location include:

- Busker Communications (HBUS-001824): 8/20/2008 - present
  - Technology design and installation provider
- M&M Ventures (BUS-0025933): 4/01/2006 - 1/2/2008
  - Property management
- All Points Logistics, Inc. (BUS-0022458): 8/01/2002 - 2006
  - Warehousing, distribution & transportation

The surrounding properties are zoned and developed as follows:

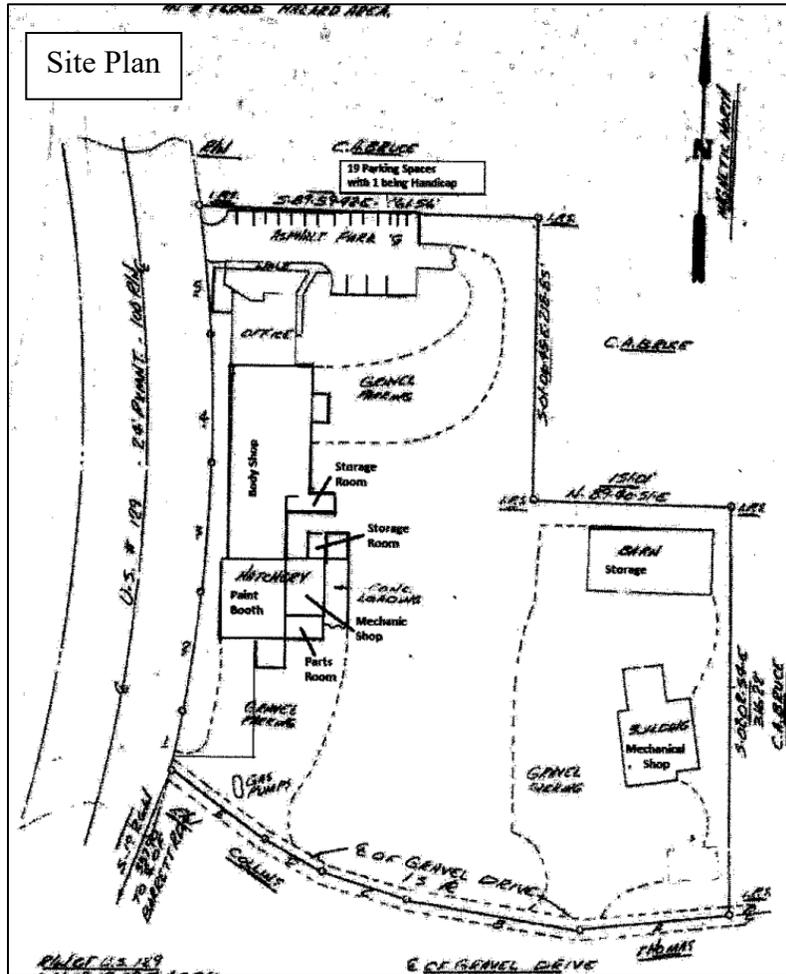
- |        |  |
|--------|--|
| North: | Planned Industrial Development (PID): Undeveloped  |
| East:  | Planned Industrial Development (PID): Undeveloped  |
| South: | Planned Industrial Development (PID): Undeveloped & Light Industrial (I-1): Former wrecker service |
| West:  | Agricultural Residential (AR-1): Undeveloped   |



Per the submitted narrative, the applicant proposes to operate an auto body and automotive repair business. The stated hours of operation are Monday through Friday from 8:00 a.m. to 7:00 p.m., and Saturday from 9:00 a.m. to 4:00 p.m. All repair activities will be conducted within the building. Vehicles that have been repaired, as well as those awaiting service may be stored behind the building.

Per the submitted site plan, the primary site entrance is located at the north end of the property. Employee and customer parking is located on the north side of the building on a paved surface. A secondary access point is located at the south end of the property, providing access to the buildings at the rear of the property. The southern access drive and the parking area to the rear of the main building are surfaced with gravel.

Water service is provided by the City of Gainesville. Sanitary sewer services are provided by an on-site septic system.



The development standards for the project are identified in the table below and compared to the GCOD requirements (Section 6.2). Note that Section 6.2.3.C of the UDC provides exceptions to GCOD compliance. Specifically, the provisions of Section 6.2.3.C.3 do not apply to “rezonings and developments that were approved by the Board of Commissioners prior to March 22, 2007, except for those approvals with specific reference to the GCOD.”

**GCOD Analysis**

Standard	Proposed Work	Required/Note	Compliance
6.2.5.A.– Transitional buffers	No buffers proposed	Transitional buffers are not required, there are no adjacent residential properties.	Complies
6.2.5.B.1 & 2 – Additional Landscape and Screening	Landscape improvements along the road frontage	10 foot frontage landscape strip – not required by 6.2.3.C.3	Complies
6.2.5.C.1 – Parking Lot Design - Required # of Parking Spaces as required by Section 8.1	Parking spaces are provided in multiple areas.	Square footage of various uses within the building not provided.	Unknown. Shall comply with standards; ample room to meet requirement.
6.2.5.C.2 – All parking must be paved with asphalt, concrete or pervious materials and located to the side or rear of the principal building.	Employee and customer parking is located on the north side of the building on a paved surface. Existing gravel parking and drive aisles to remain on the east and south sides of the building.	All parking areas must be paved with asphalt, concrete or pervious materials.	Exempt from current standards as no addition or change to more than 75% of the floor area of the existing permitted structure is proposed (Sec. 6.2.3.C.2)
6.2.5.D – Outdoor lighting	Not specified	All outdoor lighting must be the semi-cutoff type.	Shall comply
6.2.6 - Architectural Standards	No changes to existing buildings proposed		Any future improvements to the buildings shall comply with GCOD standards.
6.2.7 – Signs	Wall and monument sign to comply with UDC		Shall comply

**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 “Employment or Business Nodes and Corridors”**

**Employment:** These new employment nodes and corridors should consist of industrial and/or office uses housed in either formalized campuses or along major road corridors that have existing or future access to water and sewer. These areas may also include higher density residential uses, where appropriate. Site designs should use the quality development principals.

**Business:** Many of the county's major roadways have strong connections to infrastructure, employment, and housing, making them desirable for larger scale commercial development. New

development along these major road corridors and intersections should 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 use the Quality Development Principals

### **Zoning Analysis**

When considering a zoning amendment to the zoning maps, the 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 special use is suitable in view of the use and development of adjacent and nearby properties as the use is permitted within the Light Industrial zoning district subject to the standards of the Gateway Corridor Overlay District**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed use does not appear to adversely affect the existing use or usability of adjacent properties as the properties to the north, east and south are also zoned for industrial use.**
- 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, vehicle repair, major requires Special Use approval by the Board of Commissioners as the property is located within the Gateway Corridor Overlay District (GCOD).**
- 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 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 Business or Employment Nodes & Corridors future land use designation, the Light Industrial zoning district and industrial nature of the surrounding properties.**
- 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 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, as other light industrial uses have occupied the property.**
- 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 developed with three commercial buildings, constructed in 1969 & 1979.**
- 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 that would support grounds for disapproval.**
- k) Whether the change would create an isolated district unrelated to the surrounding districts; **This question is not applicable as there are no proposed changes to the zoning classification.**
- 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; **The existing zoning of the subject site supports the proposed use, however, requires 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 for a Special Use 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 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 February 18, 2026, Emily McGahee stated "Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during 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/modification may be required after review of business plan."

#### **Georgia Department of Transportation**

In an email dated February 16, 2026, Christopher Hash, P.E. D1 Traffic Operations Supervisor, stated "Coordination with GDOT Office of Traffic Operations. Improvements and right turn lanes are needed"

### **Hall County Public Works and Utilities**

In a memorandum from dated February 26, 2026, Jason Skarda, Assistant 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 that meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

#### **Traffic:**

An access permit from G-DOT will be required before an LDP is issued.

#### **Utilities:**

Hall County/Gainesville First come first served area

No sewer in vicinity

Pond Fork future phase in long term plan. (Developer funded)

### **Hall County Fire Marshal**

In an email dated February 25, 2026, John Hornick, NPQ Fire Service Plans Examiner 1, stated:

1. "International Fire Code Section 102.3- A change of occupancy shall not be made unless the use or occupancy is made to comply with the requirements of the International Fire Code, International Building Code, and NFPA 101 Life Safety. If approved alterations, additions, changes to the structure and floor plan will require plans to be completed by a registered design professional and submitted for review and approval by the Hall County Fire Marshal's Office before permits for construction are issued. One area in particular that will require permitting is the paint booth which will have to meet all the applicable International Fire Code requirements of section 2404.3.3 Spray Booths."
2. "International Fire Code Section 105.3.3 Occupancy Prohibited Before Approval – If approved the building shall not be occupied prior to the fire code official conducting associated inspections indicating the applicable provisions of the fire code have been met."

### **Hall County Business License**

In an email dated March 6, 2026, Brandi Smith, Business License Director, stated "This location will need a business license."