

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant Jack Albert CRE, LLC

Request **Rezone** | from Planned Industrial Development (PID) to Light Industrial (I-1)

Proposed Use Uses permitted in Light Industrial

Size 19.71± acres

Zoning **Current:** Planned Industrial Development (PID)
Proposed: Light Industrial (I-1)

Location **5205 Winder Highway** | Tax Parcel 15028 000014C

Commission District One

Commission Date August 13, 2026

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

Record Number.....HZON26-0020

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

- 1. The property shall be developed in accordance with the site plan dated July 1, 2026, and as described in the project narrative received July 3, 2026, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
- 2. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval.
- 3. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

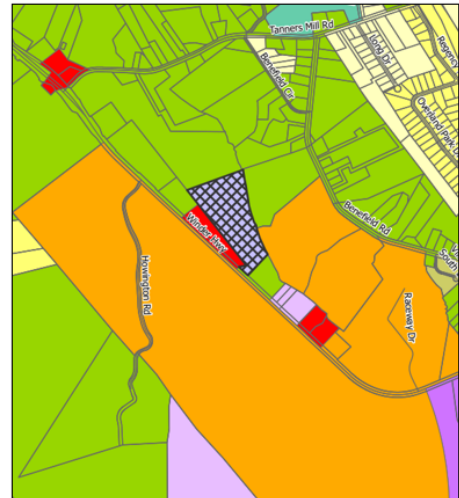
Summary Analysis

The applicant is requesting to rezone a 19.71± acre tract from Planned Industrial Development (PID) to Light Industrial (I-1) for uses permitted in Light Industrial.

Currently the site is undeveloped. The eastern property line is bordered by Cooper Creek, and the site is affected by County Studied and FEMA Flood Zones.

The surrounding properties are zoned and developed as outlined below:

- North: Agricultural Residential 1 (AR-1): single family residences
- East: Agricultural Residential (AR-1): single family residences; Planned Commercial Development (PCD): chicken houses & single-family residence; approved for a mixed use/car condo development associated with Lanier Raceway (ZON2021-00046)
- South: Agricultural Residential 1 (AR-1): undeveloped; Planned Commercial Development: Road Atlanta
- West: Highway Business (H-B): undeveloped; Agricultural Residential 1 (AR-1): undeveloped



In 2022, the subject parcel was proposed for rezoning from Agricultural Residential IV (AR-IV) to Light Industrial (I-1). Instead, the request was approved as Planned Industrial Development (PID), though the site was never developed. The approval allowed a 30,000-square-foot building with separate parking areas for automobiles and trucks, subject to the following conditions:

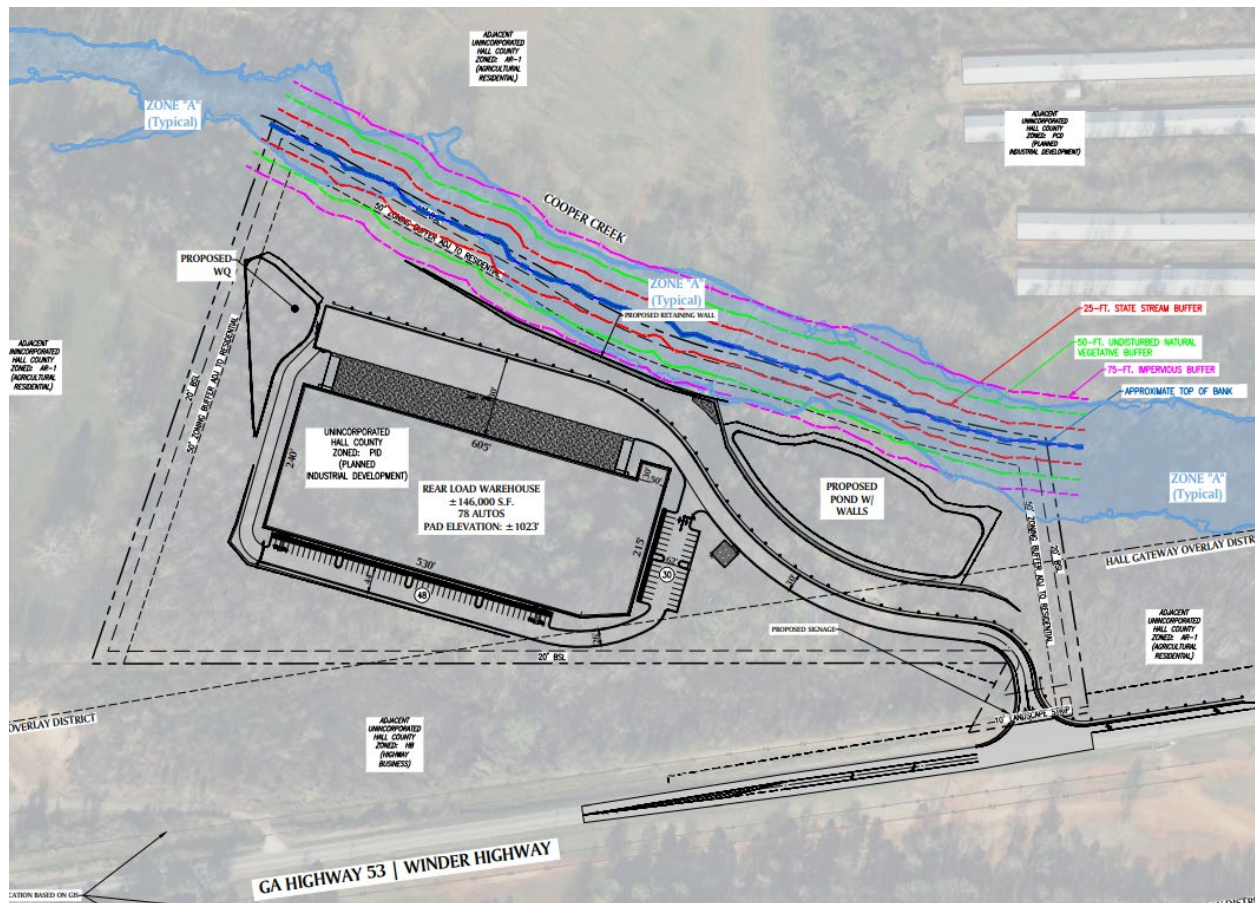
1. Any outdoor lighting shall be non-spill and shall be oriented away from shared property lines.
2. The following land uses shall be prohibited upon the property: adult establishments, junk yards, asphalt emulsion (water based) plants, and astrologers, clairvoyants, fortune tellers, palmists, phrenologists, or other related occupations
3. Access to Winder Highway/SR 53 shall be subject to review and approval by Georgia Department of Transportation.
4. A 50-foot undisturbed transitional zoning buffer shall be required against all property lines, except where abutting Parcel 15038 000056.
5. A privacy fence shall be added along the lot line noted by N70°30'00"E 925.00' for a minimum 700ft along the line.
6. The entrance shall be gated with security.
7. Truck maintenance shall only be conducted between 7 am to 7 pm.
8. Only the truck parking shall be gravel.
9. The building shall be up to 30,000 square feet.
10. Metal accents shall be permitted on the building in substantial conformance with submitted renderings.
11. 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."

12. All running overnight refrigeration trucks shall adhere to the Hall County Noise Ordinance, subject to review and approval by Planning and Development Director.

Per the submitted site plan, the applicant proposes a 146,000-square-foot industrial warehouse with 78 automobile parking spaces, a single access from Winder Highway, and a stormwater detention basin. Per the submitted narrative, the applicant seeks flexibility to lease the facility to any use permitted in the Light Industrial zoning district. The site plan meets the required 50-foot buffer from adjacent AR-1 zoned properties and the 75-foot impervious stream buffer.

Water service will be provided by the City of Gainesville as confirmed in a water availability letter dated May 22, 2026. Sanitary sewer services will be provided by Hall County as confirmed in a sewer availability letter dated May 15, 2026.



Below are the conceptual elevations provided by the applicant. Per the submitted narrative, the building will comply with GCOD standards at time of permit submittal.



The property is located within the Gateway Corridor Overlay District (GCOD) and complies with relevant standards as identified in the table below.

GCOD Analysis

<u>Standard</u>	<u>Proposed</u>	<u>Notes</u>	<u>Compliance</u>
6.2.5.A.– Transitional buffers	50-foot buffer along the northern, south & east property boundary.	Where an industrial zoning district abuts property zoned for residential or agricultural use, the width must be at least 50 feet.	Complies
6.2.5.C.2.d – Parking Lot Design - Surface	Paved parking and circulation.	All parking areas must be paved with asphalt, concrete or pervious materials approved by the director.	Complies
6.2.5.C.2.e – Parking Lot Design – Off-street parking	As the majority of the property & the developed area does not front Winder Highway, this standard does not apply.	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	N/A
6.2.5.C.2 – Parking Lot Design	Not detailed, but the site plan appears to comply.	Various landscaping requirements pertaining to parking areas.	Shall comply.
6.2.6.B – Building Materials	Precast or prestressed concrete	Precast or prestressed concrete may be used for industrial buildings	Complies

6.2.7 – Signs	Not specified.	Signage shall comply with Section 8.6.18 - Signs.	Shall comply
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Based on the future land use plan, staff finds the rezoning request is consistent with the Comprehensive Plan's future land use classification of Business Nodes & Corridors within the Chestnut Mountain Candler character area. The intent of this future land use designation is for new development along major road corridors and intersections to 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. Site design should use the quality development principals to the fullest extent possible.

Zoning Analysis – Rezone

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 Light Industrial (I-1) zoning district and proposed use 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 light industrial uses would adversely affect adjacent or nearby property. There are two racetracks adjacent to the subject property.**
- c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The subject property requires rezoning to the standard Light Industrial (I-1) zoning district as the proposed use does not meet the intent of the current zoning of Planned Industrial District (PID).**
- 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.**
- 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 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.

- h. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Denying the rezoning would provide no meaningful public benefit, as the previously approved use and proposed light industrial use both fall within the parameters of the Light Industrial (I-1) zoning district.**
- 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 subject property is undeveloped and was rezoned in 2022 to Planned Industrial Development (PID) district.**
- 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 Light Industrial (I-1) zoning would not create an isolated district, as the property is currently zoned Planned Industrial Development (PID) and commercially zoned properties with racetrack uses border the property.**
- 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 light industrial uses based on the Future Land Use Map; however, as the property is currently zoned Planned Industrial Development (PID) any deviation from the exact approved plan for the PID zoning requires action 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 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 use; 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 a memorandum dated July 7, 2026, the Hall County Environmental Health Department stated, "No comment. Public Sewer."

Georgia Department of Transportation

In an email dated July 2, 2026, Christopher Hash, P.E. D1 Traffic Operations Supervisor, stated, “On-System, coordination with District One Office of Traffic Operations required for consideration of commercial driveway.”

Gainesville-Hall Metropolitan Planning Organization

In a memorandum dated July 6, 2026, Joseph Boyd, Director, provided the following comments:

This parcel is along State Route 53/Winder Highway, which is scheduled to be widened to four lanes in the MPO’s Metropolitan Transportation Plan (GH-040, PI 0013310). Construction is currently not scheduled to begin until 2051, but Preliminary Engineering (PE) work is scheduled to begin in 2030, which may result in the construction timeline being accelerated depending on the findings. Right-of-way impacts will not be known until the PE phase is initiated. For more information, the applicant should reach out to the Georgia Department of Transportation (GDOT) District 1 office in Gainesville.

Hall County Public Works and Utilities

In a memorandum dated July 15, 2026, Jorge Gomez, 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:

The driveway is subject to review and approval by GDOT. The GDOT access permit must be approved before traffic will approve the LDP.

Utilities:

Property will be served by Hall County sewer. The nearest sewer connection point is Howington Road. All construction shall be to Hall County standards and at developer’s expense. Any required easements for connecting to Hall County sewer shall be the developer’s responsibility to obtain.

Hall County Fire Marshal

In a memorandum dated July 10, 2026, the Hall County Fire Marshal’s Office stated, “The Hall County Fire Marshal’s Office has no comments as proposed.”