HALL COUNTY PLANNING COMMISSION
STAFF REPORT

Applicant	DCCM Infrastructure, Inc.
Request	(A) **Rezone** | from Agricultural Residential 1 (AR-1) to Residential Mixed (R-X) (B) **Special Use** |for a subdivision, residential
Proposed Use	119-unit mixed residential development
Size	33.27± acres
Zoning	**Current:** Agricultural Residential 1 (AR-1) **Proposed:** Residential Mixed (R-X)
Location	**6651 Spout Springs Road** | Tax Parcel 15042 000093
Commission District	One
Planning Commission Date	November 16, 2026
Staff Recommendation	(A) **Approval, with conditions,** as the proposed zoning is consistent with the "Suburban Neighborhood Medium Density" future land use designation within the Comprehensive Plan in the South Hall Character Area. (B) **Approval, with conditions,** as the proposed use meets all minimum standards of the Residential Mixed (R-X) zoning district.
Record Number	(A) HZON26-0039 (B) HZCU26-0043

(A) & (B) Staff recommends <u>APPROVAL</u> of the applicant's request with the following conditions:

1. The property shall be developed in accordance with the site plan dated September 30, 2026, and as described in the project narrative dated September 14, 2026, modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.

2. The development shall be limited to a total of 119 lots: 65 townhomes and 54 single-family detached dwellings.

3. Access to the development shall be approved by Hall County Public Works Department. Following review and acceptance of the Traffic Impact Study (TIS) by Public Works, all required

improvements shall be incorporated into the development plans for review and approval. Any costs associated with these improvements shall be the responsibility of the developer.

4. All buffers surrounding the development shall meet the definition of a "Buffer, natural" or "Buffer, landscaped" as defined in the Hall County UDC. Where the undisturbed or provided buffer does not meet this definition, the Director of Planning and Zoning, or their designee, may require supplemental plantings or other improvements necessary to ensure the buffer achieves the intent and performance standards intended.

5. The proposed 20-foot landscape strip along Spout Springs and Union Church Road shall be part of the required 50-foot buffer required along the exterior boundaries of the proposed development.

6. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval.

7. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

Summary Analysis

The applicant has submitted two concurrent requests on a 33.27± acre tract: (A) Rezone from Agricultural Residential 1 (AR-1) to Residential Mixed (R-X); and (B) a Special Use to allow a 119-lot subdivision. The proposed development includes 54 single-family detached lots, 65 townhome lots and an amenity area with an overall proposed density of 3.58 units per acre.

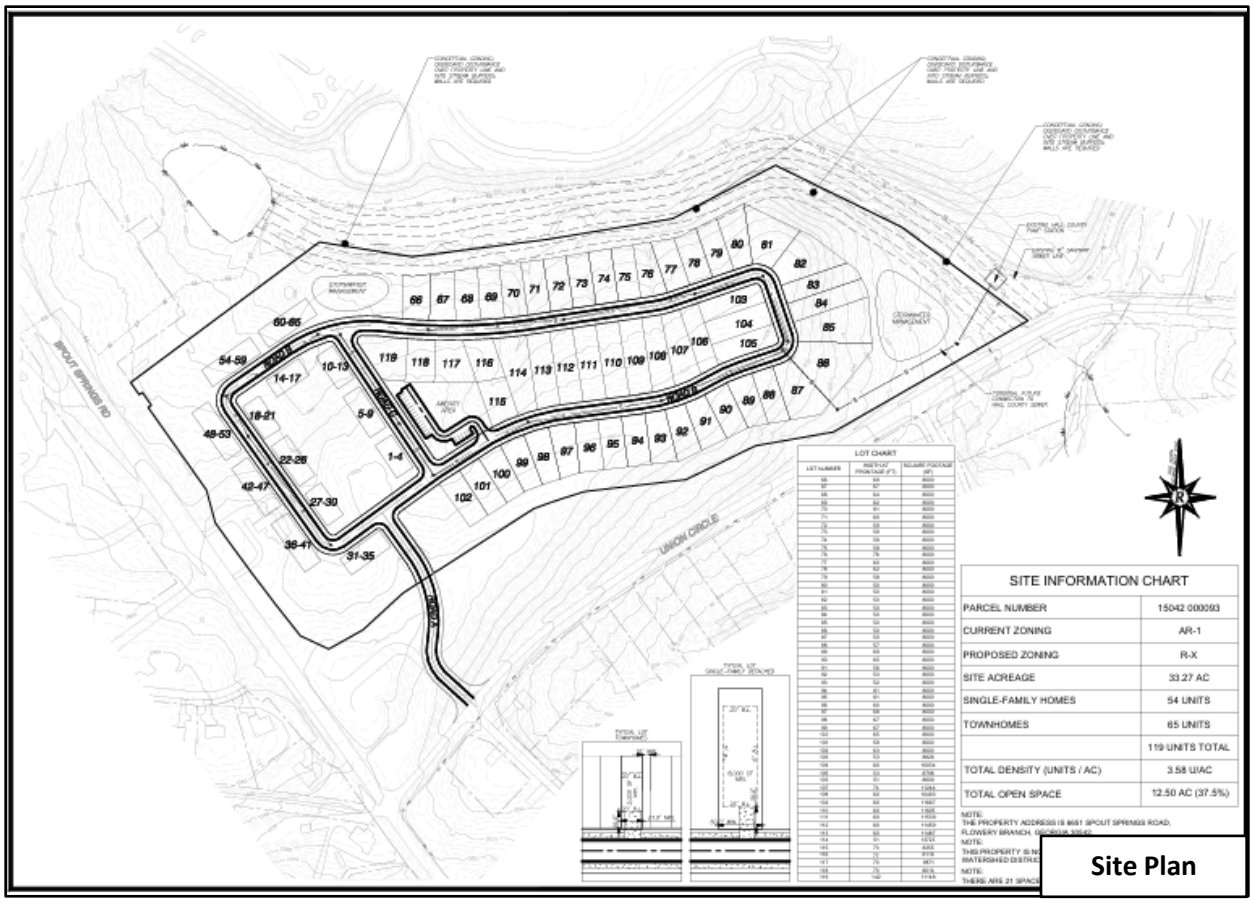
Per Tax Assessor records, the subject property is developed with a 4,953 square foot single-family residence and a 2,640 square foot accessory structure built in 1998, both of which will be removed. An intermittent stream runs along the northern property line, and the northeast portion of the site is within a County-studied flood zone.

Surrounding properties are zoned and developed as outlined below:

North: Planned Residential Development (PRD): Cherokee Bluff High School and Middle School
East: Planned Residential Development (PRD): Cherokee Bluff High School and Middle School
South: Residential 1 (R-1): single-family residences (Mulberry Ridge and Mulberry Place Subdivisions)
West: Agricultural Residential 1 (AR-1): Spout Springs Elementary School
Residential 1 (R-1): single-family residences (Quail's Landing Subdivision)



Per the submitted site plan narrative, the proposed single-family detached lots will have a minimum area of 8,000 square feet and width of 50 feet. The townhome lots will have a minimum area of 2,000 square feet and width of 24 feet. There is a central shared amenity area, however, specific amenities are not identified. Approximately 13.3 acres, or 40% of the site, is identified as open space.



Site Plan

The development will be served by a single access point from Union Circle. The project includes a 50-foot undisturbed buffer along the exterior property boundary and a 20-foot-wide landscape strip along Spout Springs Road and Union Circle. Per the Hall County UDC, a 50-foot buffer is required along the entire perimeter of the development, and the proposed 20-foot landscape strip may be counted toward satisfying this buffer requirement.

Water service will be provided by the City of Gainesville as confirmed in a letter from Nick Swafford, Permitting Services & GIS Manager, dated September 4, 2026. Sanitary sewer service will be provided by Hall County as confirmed in a letter from Jason Skarda, Assistant Director of Public Works, dated September 3, 2026.

A Traffic Impact Study (TIS) prepared by Keck + Wood, dated September 11, 2026, concluded several improvements may be warranted. Hall County Public Works commented that the driveway labeled Road A is too close to Spout Springs Road and must be relocated further away from its intersection with Spout Springs Road. A Traffic Engineering (TE) Report identifies the need for a signal at the Spouts Springs Road/Union Circle intersection which must be installed within 120 days of the issuance of the LDP.

Development Standards Analysis

The development standards for the project are summarized in the table below and are compared against the Residential Mixed (R-X) district standards and the applicable Article 8 Site Development requirements of the Hall County Unified Development Code (UDC):

Development Standard (§)	Proposed	UDC Standard	Compliance
Overall R-X Standards (§4.7)			
Lot Area	33.27± acres	5 acres minimum	Complies
Density	3.58 U/A	8 U/A max (urbanized)	Complies
Site Coverage	60%	60% max	Complies
Overall Yard Setbacks	50 feet	50 feet	Complies
R-SF Standards (§4.5)			
Minimum Lot Area	8,000 sf (min)	8,000 sf (min)	Complies
Minimum Lot Width	50 feet	50 feet	Complies
Front Yard	25 feet	25 feet	Shall comply
Side Yard	5 feet	5 feet	Shall comply
Rear Yard	20 feet	20 feet	Shall comply
Maximum Building Height	35 feet	35 feet	Complies
R-TH Standards (§4.6)			
Minimum Lot Area	2,000 sf	2,000 sf	Complies
Front Yard	15 feet	15 feet	Complies
Side Yard	10 feet (building separation)	10 feet (building separation)	Complies
Rear Yard	20 feet	20 feet	Complies
Maximum Building Height	35 feet	35 feet	Complies
Article 8			
Parking	2-car garage w/driveway parking for 2 vehicles/dwelling	2 spaces per DU TH: 2 spaces/DU plus 1 guest space for every 4 DU	Shall comply
Buffers (§8.2.3)	50 feet undisturbed perimeter buffer	50 feet undisturbed perimeter buffer	Complies
Landscaping (§8.2.4.H.2)	2 trees per lot/unit	2 trees per lot/unit	Complies
Frontage Landscape Strip (§8.2.5)	20 feet planted along Spout Springs Road & Union Circle	20 feet planted unless 50 ft undisturbed buffer provided	Complies
Sidewalks (§8.4, 9.4.8.C)	5 feet wide	5 feet wide on both sides of street	Shall comply
Open Space (§8.5)	40%	30%	Complies
Architectural Standards (§8.7)	Not specified	Various	Shall comply
Amenities Maintenance (§8.8.5)	Not specified	HOA required	Shall comply
Cluster Mailbox Unit (CBU) (§8.10)	CBU with parking spaces	CBU with parking spaces	Shall comply

Comprehensive Plan Analysis

Based on the Hall County Comprehensive Plan, staff finds that the requested rezoning to Residential Mixed (R-X) *is consistent* with the future land use designation of *Suburban Neighborhood, Medium-Density* within the South Hall Character Area. This designation supports medium-density single-family housing, either attached or detached, in areas served by existing water and sewer infrastructure or where such infrastructure is planned for future expansion. Future infrastructure improvements may be guided by the Sewer System Master Plan & Rate Study or may be provided by developers in areas where service is not currently planned.

As the subject property is located within the urbanized portion of the South Hall Character Area, where water and sewer services are available, the Residential Mixed (R-X) zoning district allows a maximum density of 8 dwelling units per acre. The proposed development has an overall density of 3.58 dwelling units per acre, which is within the permitted range.

(A) & (B) Zoning Analysis – Rezone & Special Use

When considering a zoning amendment to the zoning maps and use subject to the approval of the County Commission, 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 rezoning and use are suitable in view of the use, development, and zoning of adjacent and nearby properties. While the only directly adjacent property is used for Cherokee Bluff High School and Middle School, nearby land uses along Spout Springs Road include similar townhome and single-family detached development.**

b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed rezoning and use does not appear to adversely affect the existing use or usability of adjacent or nearby properties.**

c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property appears to have 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 and use are not expected to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public facilities, or emergency medical service. The property will be served by City of Gainesville public water, and sanitary sewer service will be provided by Hall County. Any improvements identified in the final approved Traffic Study and required by Hall County Public Works will be addressed with the Land Disturbance Permit (LDP).**

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 Residential Mixed (R-X) zoning and subdivision design are consistent with the Comprehensive Plan's future land use designation of "Suburban Neighborhood, Medium-Density." As the subject property is located within the**

urbanized portion of the South Hall Character Area, where water and sewer services are available, the Residential Mixed (R-X) zoning district allows a maximum density of 8 dwelling units per acre. The proposed development has an overall density of 3.58 dwelling units per acre, which is within the permitted range.

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 value 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; **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 subject parcel is developed with a single-family residence and accessory structure built in 1998.**

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 Residential Mixed (R-X) zoning is a new zoning district effective November 2024. Previously this type of development would have been proposed under the Planned Residential Development (PRD) district which no longer exists. The proposal is consistent with the residential development pattern of the area. Therefore, the proposed zoning change would not create an isolated district unrelated to surrounding development.**

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 proposed development does not appear to be out of scale with the needs of the county as a whole, as there is a need for additional housing to support population growth.**

n) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are no other zoning districts that would permit the proposed development. Because the R-X district is newly established, an appropriately zoned site for this residential pattern is not yet available elsewhere.**

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.**

Development Support and Constraints

Hall County Environmental Health
In a memorandum dated October 19, 2026, the Hall County Environmental Health Department stated, "Public Sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled."

Georgia Department of Transportation
In an email dated October 7, 2026, Christopher Hash, P.E. D1 Traffic Operations Supervisor, stated "Off-system. No impacts expected to the State Highway System."

Hall County Public Works and Utilities
In a memorandum dated October 19, 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 FEMA and Hall County studied Flood plains that are present on site.
Show stream buffer and impervious setback from wrested vegetation not centerline of stream

Traffic:
The driveway labeled Road A is too close to Spout Springs Road. It must be relocated further away. The traffic impact (TIS) is under review. All improvements in the TIS will be included in the LDP. A traffic engineering (TE) report /warrant analysis and signal design will be part of the LDP review process. The traffic signal shall be installed within 120 days of the issuance of the LDP.

Utilities:
Property is in the Hall County service district and will to connect to Hall County sewer. Any easements or improvements required for connection/system upgrades shall be obtained and funded by the developer/development owner.

Hall County Fire Marshal
In a memorandum dated October 16, 2026, the Hall County Fire Marshal's Office stated, "The Hall County Fire Marshal's Office has no comments as proposed."

Hall County Building Inspections
In a memorandum dated October 19, 2026, Barry Shaw, Interim Development Services Director, provided the following comments:

> Applicants will be required to get demo permits for all structures from Building Inspections before building new structures. All structures that were built prior to 1980 will require asbestos inspections and reports by a state licensed asbestos inspector. The single-family residence at this location was built in 1998 and will not require asbestos inspections and reports before demolition.