

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
FEBRUARY 10, 2026**

CALL TO ORDER Chairman Doug Carter at 5:30 p.m.

Members Present: Chairman Doug Carter, Vice Chair Ryan Thompson and Board Members Jane Fleming, Eddie Martin, Kelvin Simmons, Rick Young and Ellen DeFoor

Members Absent: None

Staff Present: Community & Economic Director Rusty Ligon, Community & Economic Deputy Director Matt Tate, Community & Economic Planning Manager Heather Dewese and Recording Secretary Gwen Fleming

Others Present: Mayor Zack Thompson, City Manager Bryan Lackey and Council Member Jon Elliott

MINUTES OF JANUARY 14, 2026

There was a motion to approve the minutes as presented.

Motion made by Vice Chair Thompson
Motion seconded by Board Member DeFoor
Vote – 7 favor

Chairman Carter advised the agenda would begin with the new business annexation request followed by the Old Business zoning amendment request.

NEW BUSINESS

A. Annexation Request

- 1) Request from **Greg Loyd** to annex a 0.23± acre tract located on the south side of West Side Drive, between Pearl Nix Parkway and Tate Street (a/k/a **1507 West Side Drive**) and to establish a zoning of Residential-II (R-II).
Ward Number: Five
Tax Parcel Number(s): 01-126-004-003
Request: Duplex apartment

Staff Presentation: Planning Manager Heather Dewese gave the following staff presentation:

The applicant is proposing to annex the subject 0.23± acre property with a zoning of R-II for one duplex apartment. The property is currently zoned R-1 within unincorporated Hall County and the city limits are adjacent to the property to the north. There are currently no structures on the property. The subject property is located within the Gateway Corridor Overlay Zone and the adjacent uses include established single-family homes within unincorporated Hall County.

The proposed duplex unit is three stories in height with 2,360 square feet of heated floor space, 3 bedrooms and 3 ½ bathrooms, and a one car garage and will be for rent. Access is proposed from West Side Drive, which is a county road.

The Gainesville Comprehensive Plan places the subject property within the General Mixed-Use land use category and the West Side Character Area which supports a mixture of land uses such as office, neighborhood retail, detached and attached residential uses such as higher density single-family residential and multi-family residential. The proposed residential density for this development is 12± dwelling units per acre.

The Planning Division staff is recommending **conditional approval** of this annexation request with **Residential-II (R-II)** zoning, based on the Comprehensive Land Use Plan and the adjacent residential land uses.

Applicant Presentation: Greg Loyd, 421 Ridgewood Avenue with his office located at 1730 MLK, Jr. Boulevard and is the general contractor representing Mr. Carrillo. Mr. Carrillo owns several adjacent properties with improvements to three of them. He also built a similar duplex on another property and is in approval process to build two more duplex apartments. Mr. Loyd stated the planning staff recommended a 3-foot high watermark of brick or stone, and to move the house back to allow for parking on the side and landscaping in the front, and have agreed to comply.

FAVOR: None

OPPOSE: None

There was a motion to recommend conditional approval of the annexation request for a duplex apartment and establish zoning as Residential-II (R-II) with the following conditions:

Conditions

- 1. The development standards within the applicant's narrative, site plans, and architectural renderings shall be made part of the zoning ordinance and shall be subject to the Community and Economic Development Director approval. Any zoning conditions adopted as part of this zoning ordinance that conflict with the applicant's narrative, concept plan and architectural renderings shall take precedence over the applicant's development standards.**
- 2. An updated as-built boundary survey/plat of the subject property shall be recorded prior to obtaining a Certificate of Occupancy.**
- 3. All access point design for the subject property shall be submitted for review and approval by the Gainesville Public Works Director.**
- 4. The front yard of the subject property shall be sodded and planted with at least one 3" caliper in size hardwood tree.**
- 5. The front, rear, and sides of the duplex structure shall be constructed with a minimum 3-foot-high architectural watermark of brick or stone materials.**
- 6. The individual garbage containers shall be stored behind each residential unit and screened by a private fence in a manner so as not to be visible from the proposed**

residential units, adjoining properties, roads and parking areas subject to the approval of the Community and Economic Development Director.

- 7. The property owner or a property manager shall be responsible for the regular maintenance of the entire property.**

Motion made by Board Member Young
Motion seconded by Board Member Martin
Vote – 7 favor

OLD BUSINESS

There was a motion to remove the zoning amendment request from the table.

Motion made by Vice Chair Thompson
Motion seconded by Board Member Simmons
Vote – 7 favor

A. Zoning Amendment Request

- 1) Request from **Capitone Property Group** to amend an existing Planned Unit Development (P-U-D) zoning on a 38.531± acres tract located on the northeast side of Ivey Road at its terminus, having road frontage on Lost River Drive and Lost River Lane (a/k/a **3058 and 3071 Ivey Road, SW; 3002, 3005, 3006, 3010, 3011, 3014, 3015, 3018, 3021, 3022, 3025, 3029, 3032, 3035, 3036, 3040 and 3044 Lost River Drive, SW; 3003, 3008, 3012 and 3031 Lost River Lane, SW**).

Ward Number: Four

Tax Parcel Number(s): 08-020-000-028, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058 and 059

Request: Luxury hotel resort and residential

Staff Presentation: Deputy Director Matt Tate gave the following staff presentation:

The applicant is proposing to amend an existing property zoned Planned Unit Development (P-U-D) for a luxury hotel resort and residential uses.

The proposal includes 3.531± acres of an overall 78.16± acres PUD approved in 1989 for mixed-use development that was to include 540 residential condominiums, 60 single-family lots, commercial uses and amenities. The subject property is heavily wooded with sloping terrain and is adjacent to Lake Lanier. There are also 22 undeveloped single-family parcels with frontage on Lost River Drive, Lost River Lane and Ivey Road.

The adjacent uses include single-family homes within the Lost River Cove subdivision, Mill Ridge Landing subdivision and Cresswind Subdivision.

The proposed hotel includes 177 guest rooms which may be combined to create suites and would reduce the number of rooms to approximately 150. The hotel will be 3 stories facing the front entrance and 4 stories facing Lake Lanier and will sit roughly 240 feet above the water line.

Amenities include 20,000 sf. of meeting space, numerous restaurant outlets, 18,000 sf. spa and wellness center, infinity pool, poolside/lakeside cafes and bars, pavilions and recreational facilities and 42 boat slips.

In addition to the hotel, there are seven (7), two-story detached lakeside cottages and 14-duplex estate homes proposed. The 7 cottages will be a minimum of 2,000 sf of heated space, consisting of up to four private bedrooms / bathrooms, a kitchen, living room space and deck/patio.

A total of 14- duplex estate homes consisting of 28 units are proposed off of Lost River Drive and Lost River Lane. Each home will range from 2,000 sf to 5,450 sf. of heated floor space, will be two stories and will include a two-car garage.

The entire development will be interconnected with access off Ivey Road to include a new roundabout/cul-de-sac directly across from Winding Lake Drive. Portions of the development may be gated.

If approved, groundbreaking is expected to commence in the first quarter of 2027. Opening of the resort is expected to take place in 2029.

A Development of Regional Impact study was for this proposal. The Georgia Mountains Regional Commission (GMRC) found that the proposal does not present any potential adverse inter-jurisdictional impacts. A traffic impact study (TIS) and an Intersection Evaluation Study were conducted for the proposed development which are summarized in the staff report.

The Gainesville Comprehensive Plan places the subject property within the *Single-Family Residential* Future Land Use category and the *Suburban Neighborhoods Character Area* which supports single-family detached or semi-detached housing at densities ranging from 2 to 4 dwelling units per acre (du/ac). Other acceptable uses include parks and recreation, limited multi-family residential, limited general mixed-use, limited commercial (retail and office), public and institutional.

Based on the Comprehensive Plan, adjacent residential uses and the current approved use for the property, staff is recommending conditional approval of this PUD zoning amendment request with nine conditions.

Applicant Presentation: **Brian Rochester**, 425 Oak Street, of DCCM, LLC stated in attendance was Beth Garmon with DCCM and Dr. Jeff Payne, Chairman of Capstone Group. He spoke about the quality of work and reputation of Capstone Group being done as presented if not better and the impact the project would have on the community. He advised single-family residential homes have been built in the area and stated the subject area on the site plan was part of the original zoning having two very large knolls on each side of Ivey Road with amazing views. He advised once all developed the resort hotel would sit 200-ft above the lake with mountain and lake views. He advised the entire 78 acres were originally zoned for 540 condo units, 60 single-family lots with retail, lodging, restaurant, marina and convenience store with commercial uses as zoned presently. Mr. Rochester stated the hotel would have a maximum of 177 units, but some will be combined for suites with approximately 150 to 160 units. He stated there would be 7 lakeside cottages which would be part of an overall rental pool of units. He stated the 28 estate homes possibly would be owner occupied but with the option of being in the overall rental pool of the hotel if desired, with all units regardless of ownership having the ability to utilize the amenities of the overall facilities. He advised the huge peninsula to the right of the development is Corp of Engineer land and they

met to discuss the possibility of walking trails and other things in the 38 acres. He stated there would be multiple high-end restaurants, luxury spa and meeting/event space. He spoke of Capstone Group who has owned the property for more than a one year and has been working on it for over two years with multiple community meetings along with individual meetings to assure that everyone understood the proposal. Mr. Rochester stated the project would be a down-zoning from the number of units being proposed and dry stack storage. He stated the project ultimately would have an excess of \$100 million impact on the economy generating around \$8 million annually in tax revenue. He then explained different areas and locations of the project with the PowerPoint presentation. He stated the front of the resort hotel would be 3 stories in height and 4 stories in height on the back, which would be less impactful than 10 story building. Meetings were held with Cresswind board, Winding Lake Drive neighbors and overall neighborhood. The proposed design would have a less of impact with the hotel at the center of the property or a higher elevation, lower elevation would be the residential units. He stated overall it would be a great project and definite improvement over the current zoning.

FAVOR: Jesse Knowles, 3613 Blue Cypress Cove, thanked for everyone for their work along with Capstone answering questions and concerns of the project. They built their home eleven years ago and knew something would be there but hoped for beautiful trees only but with other ideas that could happen, this would be the best possible solution. He was told Capstone that no trees would be cut down behind their house in the common area along with a nice fence. He mentioned several neighbors assured them the company would be true to their word and support the project as the best possible alternative outcome.

OPPOSE: Mandy Harris, 1459 Douglas Trace, stated she was not against the project but had questions regarding the treatment room and the connection to the hospital, along with locker room, sauna and relaxation room. Chair Carter advised the treatment room at the spa as at a high-end spa for facials and such and the applicant agreed but could have Mr. Rochester address the question. She advised Browns Bridge Road is a death trap road with head-on collisions and traffic was a concern. She spoke about reading the traffic report along with it not qualifying for a traffic signal at the intersection and was aware of it being denied several years ago. She asked if the city could override GDOT to have a signal installed and Chair Carter advised with it being a state route all are under the guidance of GDOT's decision. He was aware Cresswind had tried numerous times for a traffic signal and knew of discussions for the entrance at Ivey Road too. Another concern was regarding a wedding venue having noise restrictions, permission for convenience store, approved drydock storage and clarification regarding the 42 boat-slips including if the applicant has a dock permit or needs to have the Corp approve it for dock. Chair Carter advised Mr. Rochester would address the concerns but there are no longer new docks being approved but an entitlement with the property based on the amount of shoreline it has. She mentioned the approval for the 42 docks being 37 years ago that it would go back into pool for everyone else, and if there was a permit issued for them. The last request was there would not be a request for a tax abatement program for the project.

Tommy Owings, 3051 Ivey Road, stated he is a home builder and not against the project but hoped it would be gated. He was concerned with traffic at Ivey Road trying to access Browns Bridge Road and thought the traffic study did not reflect actual traffic issues with wrecks on Highway 369 which shuts all traffic flow down.

Tammy Green, 3551 Mill Road stated she was a high school teacher and varsity coach for thirty-seven years and has lived at Mill Ridge since 1989 when Lost River and Ivey Road were gravel roads. She stated she represented many from the neighborhood and if anyone would want a hotel across street from their home with all the traffic and compared to Disney World.

Mrs. Green advised she was not against growth or hotels but strongly opposed to placing a large commercial hotel in the middle of a lived-in established residential neighborhood with only one way in and one way out. She mentioned traffic issues and being difficult entering Browns Bridge Road but worse adding traffic from 177 hotel rooms and approved of the cottages and estate homes. She advised the hotel should be located in a city corridor in commercial area other than a residential neighborhood. She advised it would be a disaster for safety, pedestrians walking, seniors, and activity 24/7 including noise, lights, delivery trucks. Another concern stated was the hotel would permanently change the character of the neighborhood, protected from high intensity commercial use and approval of it would set a dangerous precedent that zoning boundaries are flexible with a larger project. She advised if the hotel would be beneficial to the city, then it belongs in a properly zoned commercial corridor. She requested the board to stand with the residents and honor the original intent of the zoning.

Don Elrod, 3055 Ivey Road, stated their home faces Lost River Drive and was concerned with the amount of added traffic to the road for a hotel. He spoke about hotel statistics with an example of a 75 percent occupancy rate would add 398 vehicles on Ivey Road including a 3 to 5 minute wait time per vehicle to exit onto Browns Bridge Road. Mr. Elrod asked the board to vote against the application.

Bill Sloan, 3059 Ivey Road, advised he has lived in Hall County for 80 years and recently retired. He was concerned with the traffic being added on Ivey Road and his grandchildren ride bikes along with golf carts and walk. He stated the project would destroy the neighborhood and destroy someone's life all for money with a vote. He asked the board to vote no.

REBUTTAL: **Chair Carter** asked Mr. Rochester to answer questions that had been asked including by Mrs. Harris of treatment rooms which were services provided through the spa.

Mr. Rochester stated he understood the concerns raised and tough job of the board truly understanding the project's current zoning and what's being proposed. He agreed the treatment rooms are inside the spa, services available for surgical procedures from hospital including a place for pre/post-surgery stay. He advised the State of Georgia has strict guidelines on where traffic signals can and cannot be installed including meeting a signal warrant based on AM and PM peak hours. He stated an active adult community typically does not travel during peak hours and the reason for not qualifying for a traffic signal. He spoke about the question of noise restrictions and advised most of the wedding space would be inside but with some outside which will follow the noise ordinance for the City of Gainesville and guests at the hotel being most impacted by noise and an unwanted issue from a high-end resort. He mentioned there being an approved community dock permitted for the site from the previous owners. He stated the question from Mr. Owens regarding the traffic study was done over multiple days overall. Mr. Rochester stated he worked many years with Mrs. Green's father and advised across the lake from Mill Road are the estate homes. The hotel swimming pool would face the lake and would be lake oriented with the least amount of impact for the residents. He then stated the hotel is three stories facing the lake and much less intrusive than a ten story. He stated Mr. Elrod mentioned the number of employees but stated they would be spread out over a week and not all present every day all day. He stated people would be present at night but there would not be a lot of activity and noise. Mr. Rochester advised the property is currently zoned Planned Unit Development since it had both residential and commercial uses with a dry stack storage marina and restaurant for the general public and would have been more intrusive. He advised with a 177 room hotel verses 540 condo units generating 10 trips per day there would be much less traffic. He asked the board with all things considered to vote affirmative for the rezoning.

Board Comments: **Board Member Young** had a question regarding written permission for utilization from the City and possibly adding a condition for noise spillover to address amplified outdoor noise after certain hours. Mr. Rochester advised the permit for the community dock was issued with the previous owners which was approved before a boat density study was done but plans were to reapply for permits once all is done and properly zoned. Deputy Tate advised the City of Gainesville has a noise ordinance that could be made a condition of zoning but was unsure if the applicant would need to address in terms of affecting operations. Mr. Rochester agreed the city's noise ordinance will provide protection but is willing to address it before the city council meeting adding a condition if needed. Board Member Young agreed there would be no need to add another condition with the city's noise ordinance. Deputy Tate gave an example of a wedding venue that was approved and has operated for a year with no noise issues. Chair Carter stated he would be more concerned with Airbnb's in the neighborhood which has most of the complaints and the reason for passing the ordinance a few years ago.

Vice Chair Thompson stated if there were no commercial marina or fuel sales and asked about the plan for so many slips with it being rental units and if there would be boat rentals. Mr. Rochester stated there would be no boat rentals but slips would be made available at the community dock to bring a boat, dock it and stay for a weekend along with the estate homes and cottages could have boats.

Board Member Young asked about the 25 ft wide buffer mentioned in condition four if it would be around the entire perimeter and was confirmed as being around the entire property and also working with Cresswell about a fence along the property line too.

Vice Chair Thompson asked about the facility being gated and if so the location of the gates. Mr. Rochester advised there would be multiple gates but with there being public roads, the city would need to allow for the road to be abandoned. He stated they need the zoning to be in place in case of an abandonment then the gating could be done.

There was a motion to recommend conditional approval of the zoning amendment request for a luxury hotel resort and residential having a zoning of Planned Unit Development (P-U-D) with the following conditions:

Conditions

- 1. The development standards within the applicant's narrative, concept plans, and architectural renderings shall be made part of the zoning ordinance and shall be subject to the Community and Economic Development Director approval. Any zoning conditions adopted as part of this zoning ordinance that conflict with these documents shall take precedence over the applicant's development standards.**
- 2. A commercial marina with fuel sales is not permitted.**
- 3. A mandatory Homeowners Association (HOA) or a property manager shall be required for the proposed development providing for the financial management, architectural controls, enforcement of community standards, regular maintenance and management of all properties and common areas.**
- 4. The proposed 25-foot wide perimeter buffer shall include a mixture of existing trees and a staggered row of buffer trees consisting of a mixture of Cryptomeria, Arborvitae and Eastern Red Cedar trees or other approved trees at a minimum**

installation height of 10 feet. The location, number, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.

5. Prior to the issuance of a land development permit for the subject property, the developer/property owner shall submit a Stage 2 Intersection Control Evaluation Study for the intersection of Ivey Road and Browns Bridge Road (SR 369). The Study shall be prepared by a licensed professional engineer and is subject to review and approval by the Gainesville Public Works Director and the Georgia Department of Transportation. The Study shall utilize updated and/or field-collected traffic data, including turning movement counts, refined trip generation, and include traffic volumes generated from Cresswind subdivision having access on Ivey Road.
6. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director and the Georgia Department of Transportation (GDOT). All required access/traffic/sidewalk improvements associated with the proposed development or any additional improvements identified within the Traffic Impact Study and Stage 2 Intersection Control Evaluation Study shall be at the full expense of the developer/property owner.
7. All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses, roads and Lake Lanier.
8. Outdoor lighting used in this development shall be of non-spill design and placed in a manner to minimize direct visibility by the adjacent properties.
9. A uniform sign plan shall be required for the proposed development subject to the approval of the Community and Economic Development Department Director.


Motion made by Board Member Martin
Motion seconded by Board Member Young
Vote – 7 favor

ADJOURNMENT

There was a motion to adjourn the meeting at 6:40 p.m.

Motion made by Vice Chair Thompson
Motion seconded by Board Member Martin
Vote – 7 favor

Respectfully submitted,



Doug Carter, Chairman



Gwen Fleming, Recording Secretary