



CALL TO ORDER

MINUTES

A. Minutes of April 8, 2025

OLD BUSINESS

NEW BUSINESS

A. Annexation

- 1) Request from **Bryan Brinson** to annex a 13.36± acres tract located at the southeast corner of the intersection of Old Cornelia Highway and East Ridge Road, having road frontage on the east and west side of I-985 (Lanier Parkway) (a/k/a **1376 East Ridge Road**), and to establish a zoning of Residential-II (R-II).

Ward Number:	Three
Tax Parcel Number(s):	15-033B-000-005
Request:	Residential townhomes

MISCELLANEOUS

ADJOURNMENT



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: April 8, 2025
Date Submitted: April 18, 2025
Final Approval Date: April 18, 2025
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Minutes of April 8, 2025
Meeting Date: May 13, 2025

Purpose of Request:

The purpose of this request is to allow the Planning and Appeals Board to approve the minutes from the referenced meeting.

Facts & Issues / History & Background:

The draft minutes were reviewed by the Office & Records Coordinator and the Community & Economic Development Deputy Director.

Department Recommendation:

Approval of the minutes as presented.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. 2025-03-11 DRAFT minutes

GAINESVILLE PLANNING AND APPEALS BOARD
DRAFT MINUTES OF MEETING
MARCH 11, 2025

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

Members Present: Chairman Doug Carter and Board Members Jane Fleming, Kelvin Simmons, Rick Young and Ellen DeFoor

Members Absent: Vice-Chair Ryan Thompson and Board Member Eddie Martin

Staff Present: Community & Economic Director Rusty Ligon, Community & Economic Planning Manager Heather Deweese and Recording Secretary Gwen Fleming

Others Present: None

MINUTES OF FEBRUARY 11, 2025

There was a motion to approve the minutes as presented.

Motion made by Board Member Fleming
Motion seconded by Board Member Young
Vote – 5 favor, 2 absent (Thompson, Martin)

OLD BUSINESS

NEW BUSINESS

A. Variance Request

- 1) Request from **Aneesh Patel** to vary the minimum lot size requirement, buffer width and minimum number of parking spaces required on a 1.92± acres tract located northwest of the intersection of Dawsonville Highway and Beechwood Boulevard, at the terminus of a private cul-de-sac (a/k/a **1181 Dawsonville Highway, NW**), having a zoning of General Business (G-B).

Ward Number: One
Tax Parcel Number(s): 00-115-002-085
Request: Extended stay hotel

Staff Presentation: Director Rusty Ligon gave the following staff presentation:

The applicant is requesting special use for a 1.92± acres property zoned General Business (G-B) for an 80-room, Home2 Suites by Hilton extended stay hotel. In addition, the applicant is asking to vary three development standards that are specific to extended-stay hotels which include varying:

- Minimum lot size requirements from 2.0 acres to 1.92 acres.
- Minimum buffer width from 100 feet to a minimum of 35 feet in width.
- Minimum number of parking spaces from 120 spaces to 87 spaces.

The applicant is basing their physical hardship on the size of the property and the steep topography which limits the developable area.

The subject property is the remaining undeveloped lot within the commercial subdivision created in 2010 that includes Cheddar's restaurant, Olive Garden restaurant, Buffalo Wild Wings restaurant and the Holiday Inn & Suites hotel. The subject property is currently padded out with mounded fill dirt and contains a storm water pond. Over half of the property steeply slopes down toward the southerly and westerly property lines. Other adjacent uses include the Beechwood estates subdivision and the Lake Forest Apartments.

The proposed extended stay hotel is 62,310± square feet in size and is 4-stories in height over a parking garage that is below street grade. A total of 87 parking spaces are proposed (41 garage spaces and 46 surface level spaces), and access is proposed from the existing private cul-de-sac. Amenities include an outdoor pool, outdoor grills, fitness center restaurant open for breakfast, coffee bar and beer and wine with small bites during evening social hours.

The subject property is located within the Commercial Future Land Use category and within the Suburban Commercial Character Area which includes areas focused on retail, office, or other commercial service areas such as grocery stores, banks, restaurants, theaters, hotels and automotive-related businesses which may be located as a single use in one building or grouped together in a shopping center.

Staff is recommending **approval** of the proposed special use request within **General Business (G-B) zoning**, based on the Comprehensive Plan and the adjacent nonresidential land uses, with **9 conditions**.

In addition, staff is recommending **approval** of the variance request based on the size of the subject property and sloping topography with the same **9 conditions**.

Applicant Presentation: Aneesh Patel, 809 Jesse Jewell Parkway, stated the reason for purchasing the property was it was zoned for a hotel but was unaware at that time changes to the code created obstacles regarding parking and site requirement. Mr. Patel stated the hotel won the JD Associates number one mid segment to upper scale segment award two years ago and will compete with higher end rates starting at \$150 and above. Most guests stay three to six days at a time but enjoy the flex space which is a healthier option being able to cook rather than eating out. His opinion was the project will benefit the city and county by helping facilitate the growth. The room images and details were explained by Mr. Patel stating only twenty percent will have a range/oven / dishwasher and no paper products being used only china-ware will be used in order to help with conservation and recycling.

FAVOR: None

OPPOSE: Christine Osasu, 1738 Lanier Springs Drive, stated she lives in the Beechwood Estates and appreciates all work by the staff and understands it would be a nice hotel. The main concern was the existing traffic issue, only one exit for the neighborhood and seems no concern regarding traffic issues for the people in the neighborhood. She then spoke about extended stays having a bad reputation in Gainesville and concerned with it being a high end extended stay in years to come. Ms. Osasu would prefer for the extended stay not be near her home and it affecting the property value of the homeowners.

Chairman Carter advised the property was zoned in 2010 for a hotel and the only reason for the public hearing was for an extended stay hotel but with no changes a hotel could be built. Ms. Osasu again expressed an extended stay has a different spirit and concerned about living next to an extended stay.

Rebuttal: Mr. Patel stated the customer base would be around eighty at maximum and not every parking space will be occupied. He mentioned traffic from the hotel would not be much of a concern with the restaurants having around 300 vehicles per day. His commented since it is Hilton property, a leader in the market along with Marriott, trending in the \$200's and always positive reviews. Mr. Patel advised there seems to be a misconception in Gainesville regarding extended stay hotels due to some hotels deciding to become an extended stay but with the rates being in the range of \$150 to \$200 and the type of property would not be an issue for the future and remaining a high-end hotel. Also mentioned, people traveling in town for ballgames and events usually stay at Holiday Inn Express, Hampton Inn or Super 8, not at an extended stay hotel.

Chairman Carter asked Mr. Ligon to remind everyone how long ago the standards were raised for an extended stay hotel and was advised approximately 4 years ago. Chairman Carter replied it was addressed due to some problems with some existing extended stay hotels in the community.

Board Member Young asked if it were older hotels which were single occupancy being turned into extended which was confirmed. There was discussion of the proposed project being different and designed for an extended stay.

There was a motion to conditionally approve the request to vary the minimum lot size requirement, buffer width and minimum number of parking spaces for an extended stay hotel with the following conditions:

Conditions

- 1. The special use approval shall be limited to the operation of a Home2 Suites by Hilton extended stay hotel or any other hotel brand that is considered upper midscale or upper scale extended stay hotel.**
- 2. The proposed development shall be generally consistent with the concept plan and architectural renderings provided with this application per the approval of the Community & Economic Development.**
- 3. Prohibited uses for the subject property shall include adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, hookah lounge, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**
- 4. The existing trees located within the proposed 35 foot wide buffer shall remain except for those areas that may interfere with stormwater facilities. In addition, a mixture of evergreen trees shall be planted at the top of the retaining wall, as well as, between the 35 foot wide buffer area and the proposed building. The minimum install height of the trees shall be 10 feet. The location, spacing, size and type of**

trees planted shall be subject to the approval of the Community and Economic Development Department Director.

5. All service areas, dumpster enclosures, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent properties and roads.
6. Outdoor lighting used in this development shall be of non-spill design and placed in a manner so as to minimize direct visibility by the adjacent properties.
7. The subject property shall be limited to one monument sign not to exceed 10-feet in height and 100 square feet of total sign structure area with internal or external lighting. Building signage shall be permitted as regulated within the Gainesville Unified Land Development Code and shall be limited to the north and east sides of the building. Electronic message board signs or electronic changeable copy signs are not permitted.
8. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director. The approval of said design shall be required prior to issuance of a building permit. All required access / traffic / sidewalk improvements associated with the proposed development shall be at the full expense of the owner/developer.
9. The proposed variance request shall be contingent upon City Council approving the special use for the proposed Home2 Suites by Hilton extended stay hotel.

Motion made by Board Member Fleming
Motion seconded by Board Member Simmons
Vote – 5 favor, 2 absent (Thompson, Martin)

B. Special Use Request

- 1) Request from **Aneesh Patel** for a special use on a 1.92± acres tract located northwest of the intersection of Dawsonville Highway and Beechwood Boulevard, at the terminus of a private cul-de-sac (a/k/a **1181 Dawsonville Highway, NW**), having a zoning of General Business (G-B).
Ward Number: One
Tax Parcel Number(s): 00-115-002-085
Request: Extended stay hotel

There was a motion to recommend conditional approval of the special use request for an extended stay hotel having a zoning of General Business (G-B) with the following conditions:

Conditions

1. The special use approval shall be limited to the operation of a Home2 Suites by Hilton extended stay hotel or any other hotel brand that is considered upper midscale or upper scale extended stay hotel.
2. The proposed development shall be generally consistent with the concept plan and architectural renderings provided with this application per the approval of the Community & Economic Development Director.
3. Prohibited uses for the subject property shall include adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, hookah lounge, tobacco or vaping stores, gas station/convenience

stores, tire stores, auto parts stores, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.

4. The existing trees located within the proposed 35 foot wide buffer shall remain except for those areas that may interfere with stormwater facilities. In addition, a mixture of evergreen trees shall be planted at the top of the retaining wall, as well as, between the 35 foot wide buffer area and the proposed building. The minimum install height of the trees shall be 10 feet. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.
5. All service areas, dumpster enclosures, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent properties and roads.
6. Outdoor lighting used in this development shall be of non-spill design and placed in a manner so as to minimize direct visibility by the adjacent properties.
7. The subject property shall be limited to one monument sign not to exceed 10-feet in height and 100 square feet of total sign structure area with internal or external lighting. Building signage shall be permitted as regulated within the Gainesville Unified Land Development Code and shall be limited to the north and east sides of the building. Electronic message board signs or electronic changeable copy signs are not permitted.
8. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director. The approval of said design shall be required prior to issuance of a building permit. All required access / traffic / sidewalk improvements associated with the proposed development shall be at the full expense of the owner/developer.
9. The proposed variance request shall be contingent upon City Council approving the special use for the proposed Home2 Suites by Hilton extended stay hotel.

Motion made by Board Member Simmons
Motion seconded by Board Member Young
Vote – 5 favor, 2 absent (Thompson, Martin)

C. Rezoning Request

- 1) Request from **Gainesville Housing Authority** to rezone a 2.6± acres tract located on the southwest side of the intersection of Jesse Jewell Parkway and Downey Boulevard and the southeast side of the intersection of Jesse Jewell Parkway and Summit Street (a/k/a **1120 Jesse Jewell Parkway, SE**) from Residential-II (R-II) to Planned Unit Development (P-U-D).

Ward Number: Three
Tax Parcel Number(s): 01-035-002-004
Request: Multi-family housing

Chairman Carter stated Director Ligon received notification the applicant would like to table their request to the April 8, 2025, Planning and Appeals Board meeting.

There was a motion to table the rezoning request to the April 8, 2025, Planning and Appeals Board meeting.

Motion made by Board Member DeFoor

Motion seconded by Board Member Simmons
Vote – 5 favor, 2 absent (Thompson, Martin)

ADJOURNMENT

There was a motion to adjourn the meeting at 5:53 p.m.

Motion made by Board Member Simmons
Motion seconded by Board Member Young
Vote – 5 favor, 2 absent (Thompson, Martin)

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: April 8, 2025
Date Submitted: April 18, 2025
Final Approval Date: April 22, 2025
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **Bryan Brinson** to annex a 13.36± acres tract located at the southeast corner of the intersection of Old Cornelia Highway and East Ridge Road, having road frontage on the east and west side of I-985 (Lanier Parkway) (a/k/a **1376 East Ridge Road**), and to establish a zoning of Residential-II (R-II).
Meeting Date: May 13, 2025

Purpose of Request:

The applicant is proposing to annex the subject property with a zoning of Residential-II (R-II) for residential townhomes that will be for sale. The property is currently zoned Residential-I (R-I) within unincorporated Hall County and is located within the Hall Gateway District. Much of the property is wooded with no structures. The proposal includes a total of 93 townhomes consisting of mixture of 49, twenty-foot wide, one-car garage units and 44, twenty-four foot wide, two-car garage units. A total of 37 guest parking spaces, mail kiosk and a dog park are proposed as well. Two access roads are proposed from East Ridge Road which is a county-maintained road.

Adjacent uses include single-family homes and vacant property within unincorporated Hall County. A smaller portion of the property is contiguous to the Gainesville Township master planned community located east of I-985 (Lanier Parkway), within the city limits of Gainesville.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff recommended approval with nine conditions. See the Staff Recommendation Report for details.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Staff Recommendation Report
2. Location maps
3. Survey

4. Narrative
5. Site Plan Color
6. Site Plan
7. Site Plan with topo
8. Architectural Renderings

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant Bryan Brinson
Property Owner 1376 East Ridge Road, LLC
Location 1376 East Ridge Road
Request Annex, with R-II zoning
Total Acres 13.36± acres
Ward Three
Proposed Use Residential townhomes
Planning Division Staff Recommendation **Approval, with conditions**
Date May 13, 2025

▪ **Applicant’s Proposal and Background Information**

The applicant is proposing to annex the subject property with a zoning of Residential-II (R-II) for 93 residential townhomes that will be for sale. The property is currently zoned Residential-I (R-I) within unincorporated Hall County and is partially located within the Hall Gateway District. Much of the property is wooded with no structures, having road frontage on East Ridge Road, Old Cornelia Highway and both sides of I-985.

The proposed townhomes consist of a mixture of 49, one-car garage units and 44, two-car garage units. The townhome standards within the Unified Land Development Code require two car garages unless parking is provided behind each townhome unit. Each unit will have 3 bedrooms and 2.5 bathrooms. A total of 37 guest parking spaces, a mail kiosk and a dog park are proposed as well. The concept plan also includes green space and a minimum 25-foot wide vegetated buffer located around the perimeter of the property. The concept plan includes two points of access on East Ridge Road which is maintained by Hall County. The proposed road includes 5-foot wide sidewalks and is intended to be dedicated to the City of Gainesville for maintenance. The development intends to utilize city water and sewer services and solid waste pick-up will be provided by the City of Gainesville. The applicant has asked for the city to participate with the sewer extension.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Single-family homes	Residential-II (R-I) -County
South	Single-family homes	Residential-II (R-I) -County
East	Gainesville Township Mixed-Use Development	Planned Unit Development (PUD)
West	Single-family homes	Residential-II (R-I) -County Light Industrial (I-1) -County

- **Other Departmental Comments**

According to the Department of Water Resources, Gainesville owns and operates existing 8-inch DIP water mains in the right-of-way of Old Cornelia Highway and East Ridge Road along the frontage of the subject property. Also, there is an existing 15-inch gravity sanitary sewer located at the intersection of East Main Street and Old Cornelia Highway approximately 1,600 feet from the subject property. A developer-constructed sanitary sewer extension, and possibly a lift station, would be required to connect to public sewer.

There were no other departmental comments at this time.

- **Zoning History**

The following zoning actions have taken place in the immediate area during the last ten years:

2024 – A request by the City of Gainesville to annex a 2.81± acres tract with a zoning of Residential and Office (R-O) located at 3 and 4 Carolina Street; 0 Spring Street; 10 Myrtle Drive; 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19 and 20 Victory Street for existing uses was approved.

2024 – A request by Moez Hasni for special use approval on a 4.11± acres tract zoned General Business (G-B) located at 400 Crescent Drive, NE was conditionally approved for a Staybridge Suites extended stay hotel.

2023 – A request by Capstone Acquisitions, LLC for special use approval on a 1.47± acres tract zoned General Business (G-B) located at 622 White Sulphur Road was conditionally approved for a Residence Inn extended stay hotel.

2022 – A request by Elizabeth Evans to annex a 2.7± acres tract with a zoning of General Business (G-B) located at 410 Crescent Drive for a climate controlled & non-climate controlled storage facility was conditionally approved.

2022 – A request by Brand Properties to rezone 69.18± acres located at 515 Lakeview Drive, NE; 2065 Limestone Parkway and 1881 Jesse Jewell Parkway from Planned Unit Development (P-U-D) and Residential-II (R-II) to Planned Unit Development (P-U-D) for a mixed-use development was approved with conditions.

2022 – A request by Moez Hasni to annex a 5.503± acres tract with a zoning of General Business (G-B) located at 374 and 400 Crescent Drive for a retail shopping center was conditionally approved.

2022 – A request by Caballero Holdings, LLC to annex a 140.77± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 Eberhart Cemetery Road; 2465 Floyd Road, SE; 2166, 2170 and 2210 Old Cornelia Highway was conditionally approved for a master planned mixed-use development.

2022 – A request by Caballero Holdings, LLC to amend a 14.43± acres tract zoned Planned Unit Development (P-U-D) located at 0, 2490 and 2544 Floyd Road, SE; 0 Lenox Drive, SE; 0 Old Cornelia Highway, SE was conditionally approved for a master planned mixed-use development.

2020 – A request by Frank Norton, Jr. to annex a 2.16± acres tract with a zoning of Planned Unit Development (P-U-D) located at 39, 44, 48 and 49 Quarry Street; 4 Highland Street was conditionally approved for residential cottages and townhomes.

2020 – A request by Frank Norton, Jr. to amend a 14.75± acres tract zoned Planned Unit Development (P-U-D) located at 0 Lakeview Drive NE; 52, 54 and 56 Quarry Street NE was conditionally approved for residential cottages and townhomes.

2020 – A request by Capstone Acquisitions, LLC to annex a 6.148± acres tract with a zoning of Light Industrial (L-I) located at 0 Jesse Jewell Parkway was conditionally approved for a climate-controlled self-storage and office/warehouse.

2018 – A request by Limestone Greenway, LLC to annex a 75.12± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 2065 Limestone Parkway was conditionally approved for a mixed-use development.

2017 – A request by Keel Property Management, LLC to annex a 6.32± acres tract with a zoning of General Business (G-B) located at 0 White Sulphur Road Drive was conditionally approved for restaurant, retail and a carwash.

2016 – A request by Timothy Bullard to annex a 20.417± acres tract with a zoning of Residential-II (R-II) located at 1582 and 1586 Pine Valley Road was denied for a 240-unit apartment complex.

▪ **Staff Analysis**

(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

The surrounding area includes properties mostly within unincorporated Hall County consisting of mostly larger single-family lots with homes on private septic systems. The purpose of this request is for 93 fee-simple townhomes connected to sewer services which is unique to the East Ridge Road area.

(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

The subject property is undeveloped. The proposal includes fee-simple townhomes on a minimum lot size of 2,000 square feet. While the proposed fee-simple townhomes will function similarly to the nearby single-family homes, the proposed residential density is higher than the adjacent and nearby properties located along East Ridge Road. In turn, traffic will increase along East Ridge Road and turning movements to/from Old Cornelia Highway will be impacted.

(3) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

It is the staff's opinion that the proposed residential use is consistent with the Gainesville Comprehensive Plan, but the residential density is too high. The Gainesville Comprehensive Plan places the subject property within the *Single-Family Residential* Future Land Use category and the *Suburban Neighborhoods Character Area*.

The *Single-Family Residential* Future Land Use category includes areas containing or planned for single-family detached or semi-detached housing at densities ranging from 2 to 4 dwelling units per acre (du/ac). This would allow for a maximum of 54 dwelling units based on the size of the subject property. The proposal is for 93 townhomes with an overall gross density of 7.45 du/ac.

The vision for the *Suburban Neighborhoods* Character Area is to preserve older, stable residential subdivisions and encourage newer projects with smaller lot sizes, pedestrian infrastructure, and

buildings patterned after traditional local housing, possibly containing a small neighborhood-serving “village center”. Neighborhood-scale businesses are prioritized that can serve local residents. Future population growth should be balanced between new development and infill areas. Housing choices should be diverse to support a range of household incomes, lifestyles, sizes and types, but consist mostly of single-family detached lots. Appropriate uses allowed include parks and recreation, single-family residential, limited multi-family residential, limited general mixed-use, limited commercial (retail and office), public and institutional.

(4) Are there substantial reasons why the property cannot or should not be used as currently zoned?

The property is currently zoned Residential-1 (R-1) in Hall County which permits single-family detached homes on a minimum lot size of 21,780 square feet (two lots per acre), if served by public water and sewer. The proposed residential density of 7.45 du/ac is almost double the maximum residential density permitted within the Gainesville Future Land Use designation. While the development would provide alternative quality housing options, the residential density is too high. Of comparison, the adjacent Gainesville Township development has an overall residential density of 2.35 du/ac. It is the opinion of staff, the proposed development should be limited to a maximum of 54 dwelling units (4.0 du/ac). Reducing the number of residential units will bring the development within the appropriate density range and will reduce the strain on the existing road network.

(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

Water and sewer capacity is sufficient to serve the property. However, a developer-constructed sanitary sewer extension, and possibly a lift station, would be required to connect to public sewer.

Public safety currently responds to adjacent and nearby properties. Hall County Fire Station #7 is approximately 0.5 miles from the subject property located off East Crescent Drive. Gainesville Fire Station #2 is located 2.5 miles from the subject property located off Cleveland Highway.

The proposed development will access East Ridge Road, which is a paved road maintained by Hall County. East Ridge Road is 20 feet in width with no curb or gutter. While the proposed development did not meet the thresholds to require a traffic impact study, additional traffic will be generated having some impact at the intersection of East Ridge Road and Old Cornelia Highway. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the proposed 93-unit, fee-simple townhome development could generate 540± new trips per weekday and 41± A.M. and 48± P.M. peak hour trips during the weekday.

The proposed townhomes are designed as market rate family units providing 3 bedrooms and 2.5 bathrooms per unit and the proposed amenities do not include a playground. According to the 2023 US Census estimate for the city of Gainesville, there are approximately 0.79 individuals per household under the age of 18. Based on the number of townhome units proposed, it is anticipated there could be 73± school aged children living within the development. The Gainesville City School System does not currently provide transportation services along East Ridge Road. However, bus service is provided to areas further east and west within the Limestone Parkway area and within the nearby Gainesville Township development.

(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

The proposed residential use is supported by new and changing conditions in the surrounding area. While significant development has occurred west of Exit 24/ I-985 within the New Holland area, the growth patterns east of the interchange have changed slowly from rural to suburban as anticipated by the Comprehensive Plan. An example of this growth is the adjacent Gainesville Township development, which is expected to be built out over a period of 10+ years.

(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Based on the subject property's proximity to city limits and surrounding residential properties, the proposed annexation request with the recommended zoning conditions appears to promote a reasonable balance between the promotion of the public health, safety, morality, or general welfare, and the right to unrestricted use of property.

▪ **Staff Recommendation**

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.

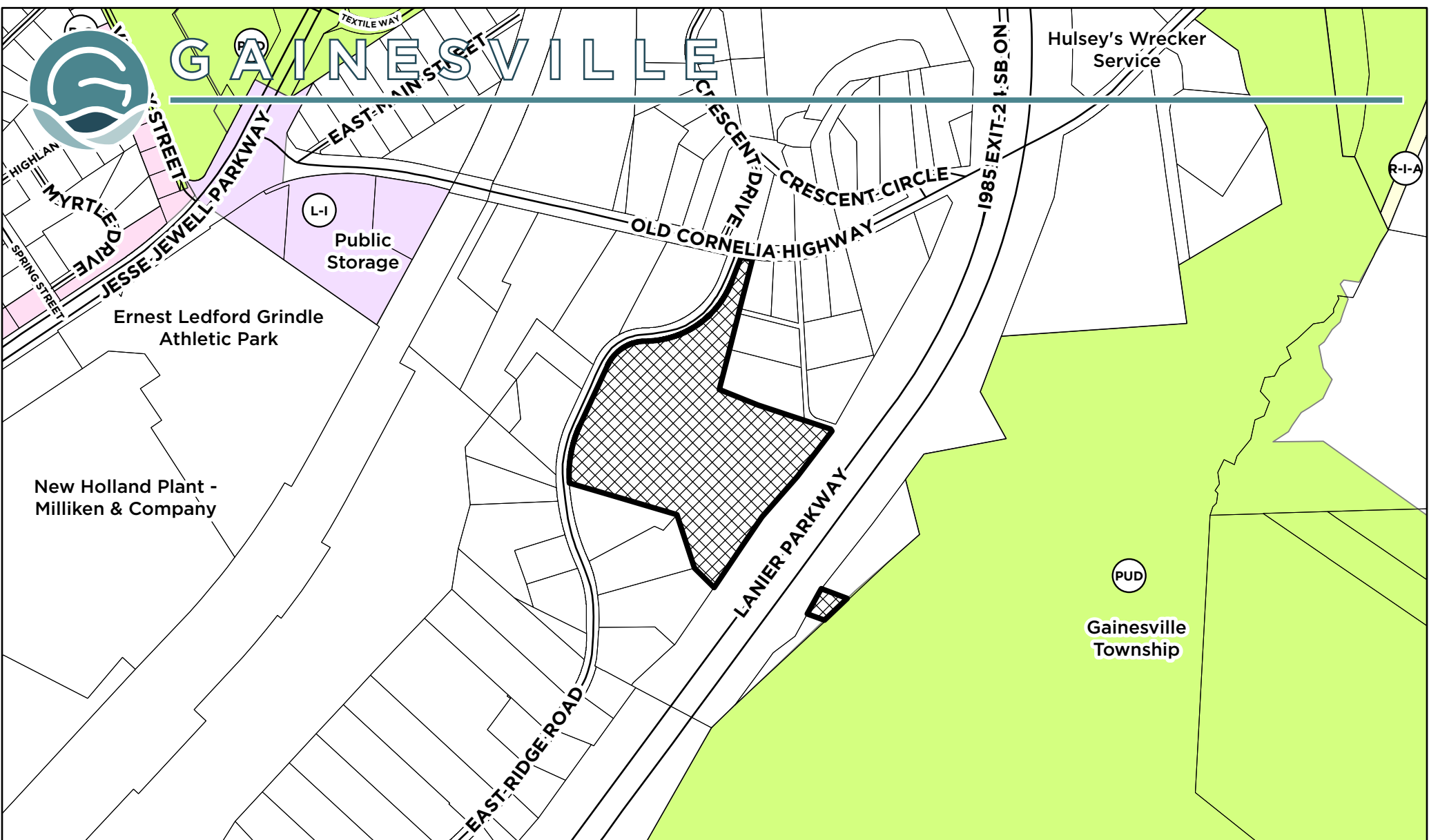
Conditions

1. **The subject property shall be limited to a maximum of 54 residential units. Multi-family apartments are not permitted.**
2. **All townhomes shall be a minimum of 24 feet in width and have front or rear loaded two-car garages.**
3. **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.**
4. **A mandatory Homeowners Association (HOA) shall be required for the proposed development providing for the financial management, architectural controls, enforcement of community standards and management of all common areas. The Board will be established and operated by the developer until such time the powers are transferred to the HOA. A covenant shall be required to be recorded for the proposed development stating that no more than 20% of the total residential units may be rented.**
5. **All access point design for the subject property shall be submitted for review and approval by the Gainesville Public Works Director and Hall County Public Works department.**
6. **All proposed detention ponds shall be fenced and landscaped to mitigate the view from all roads and adjacent properties. All fencing and landscaping materials shall be approved by the Community and Economic Development Department Director.**
7. **The front yard of each lot shall be sodded and planted with at least one 3" caliper in size hardwood tree.**

- 8. The storage of all trash receptacles shall be screened from view from the road and adjacent properties.**
- 9. The developer shall use a variety of techniques to avoid the monotonous appearance of identical townhome buildings. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, and other similar techniques so that no townhome building is the same as any townhome building directly in front or on either adjacent side of the structure. Other architectural requirements shall include:**
 - Carriage-style garage doors with decorative hardware or other embellishments shall be used on all townhomes.**
 - All roofs shall consist of architectural/dimensional style asphalt shingles.**
 - All roofs and gables shall be of a pitch no less than 8/12.**
 - The exterior materials shall consist of a mixture of brick, stone, fiber cement siding, cedar shake or wood siding.**
 - A minimum 3-foot architectural foundation water table of matching brick or stone material, that also covers all exposed foundations, shall be required on the front and sides of the townhome buildings.**
 - Vinyl siding shall only be permitted on soffit areas.**



GAINESVILLE



Applicant: **BRYAN BRINSON**

Request: Annex +/- 13.36 AC and establish zoning as Residential-II (R-II) for a residential townhome development.

ANNEXATION REQUEST

Subject Property Address:
1376 East Ridge Road

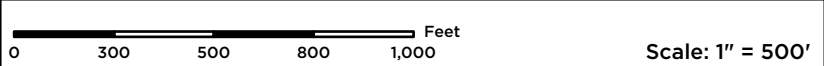
Tax Parcel:
15033B-000005

 **Subject Property**



Meeting Date: 05/13/2025

Map Prepared: 04/02/2025





GAINESVILLE

Hulsey's Wrecker Service

Public Storage

Ernest Ledford Grindle Athletic Park

New Holland Plant - Milliken & Company

Gainesville Township

Applicant: **BRYAN BRINSON**

ANNEXATION REQUEST

Request:
Annex +/- 13.36 AC and establish zoning as Residential-II (R-II) for a residential townhome development.

Subject Property Address:
1376 East Ridge Road

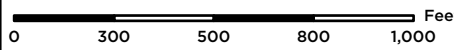
Tax Parcel:
15033B-000005

 **Subject Property**

Aerial from 2023



Meeting Date: 05/13/2025 **Map Prepared:** 04/02/2025

 Feet
Scale: 1" = 500'

NOTES:

THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 130466 0195 F EFFECTIVE DATE: SEPTEMBER 29, 2006

EQUIPMENT USED FOR MEASUREMENT: TOPCON G.T.S. 825A

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 22,434 FEET AND AN ANGULAR ERROR OF 00'00"00" PER ANGULAR POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. PARTY: J.S. & J.M.J.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED, & HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

REFERENCES:

- DEED BOOK 6193, PAGES 342-344
- SURVEY FOR G.H. WALDREP ESTATE, RICHARD WALDREP AND MRS. J.C. WALDREP, PREPARED BY HENRY GRADY JARRARD, RLS NO. 1182, DATED MAY, 1974, REVISED SEPTEMBER 5, 1975 AND REVISED DECEMBER 22, 1977.
- PLAT BOOK 35, PAGES 221-222

LEGEND:

- I.P.F. - IRON PIN FOUND
- C.T.F. - CRIMPED TOP PIN FOUND
- R.B.F. - REBAR PIN FOUND
- R.B.S. - REBAR PIN SET
- O.T.F. - OPEN TOP FOUND
- C.C.P. - CALCULATED POINT
- C.M.F. - CONCRETE MONUMENT FOUND
- B.C. - BACK OF CURB
- C/L - CENTER LINE
- C.M.P. - CORRUGATED METAL PIPE
- D.I. - DROP INLET
- D.I.P. - DUCTILE IRON PIPE
- F.H. - FIRE HYDRANT
- G.W. - GUY WIRE
- G.V. - GAS VALVE
- G.M. - GAS MAIN
- HDPE - HIGH DENSITY POLYETHYLENE PIPE
- L.L.L. - LAND LOT LINE
- L.P. - LIGHT POLE
- S.S. - SANITARY SEWER MANHOLE
- N/F - NOW OR FORMERLY
- P.P. - POWER POLE
- P.T.B. - POWER TRANSFORMER BOX
- P/L - PROPERTY LINE
- P.V.C. - POLYVINYL CHLORIDE PIPE
- R/W - RIGHT OF WAY
- R.C.P. - REINFORCED CONCRETE PIPE
- S/B - SETBACK
- S.P. - SERVICE POLE
- P.L. - POWER LINE
- T.R. - TELEPHONE RISER
- W. - WATER MAIN
- W.M. - WATER METER
- W.V. - WATER VALVE
- W.F. - WOOD FENCE
- H.W.F. - HOG WIRE FENCE
- - - - - - CONTIGUOUS

TRACT "A" AREA: 12.47 ACRES
(INCLUDES PARCEL "A" AREA)

TRACT "B" AREA: 0.89 ACRES

TRACT "A"

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 542,467 FEET

TRACT "B"

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 149,571 FEET

PARCEL "A"

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 304,813 FEET

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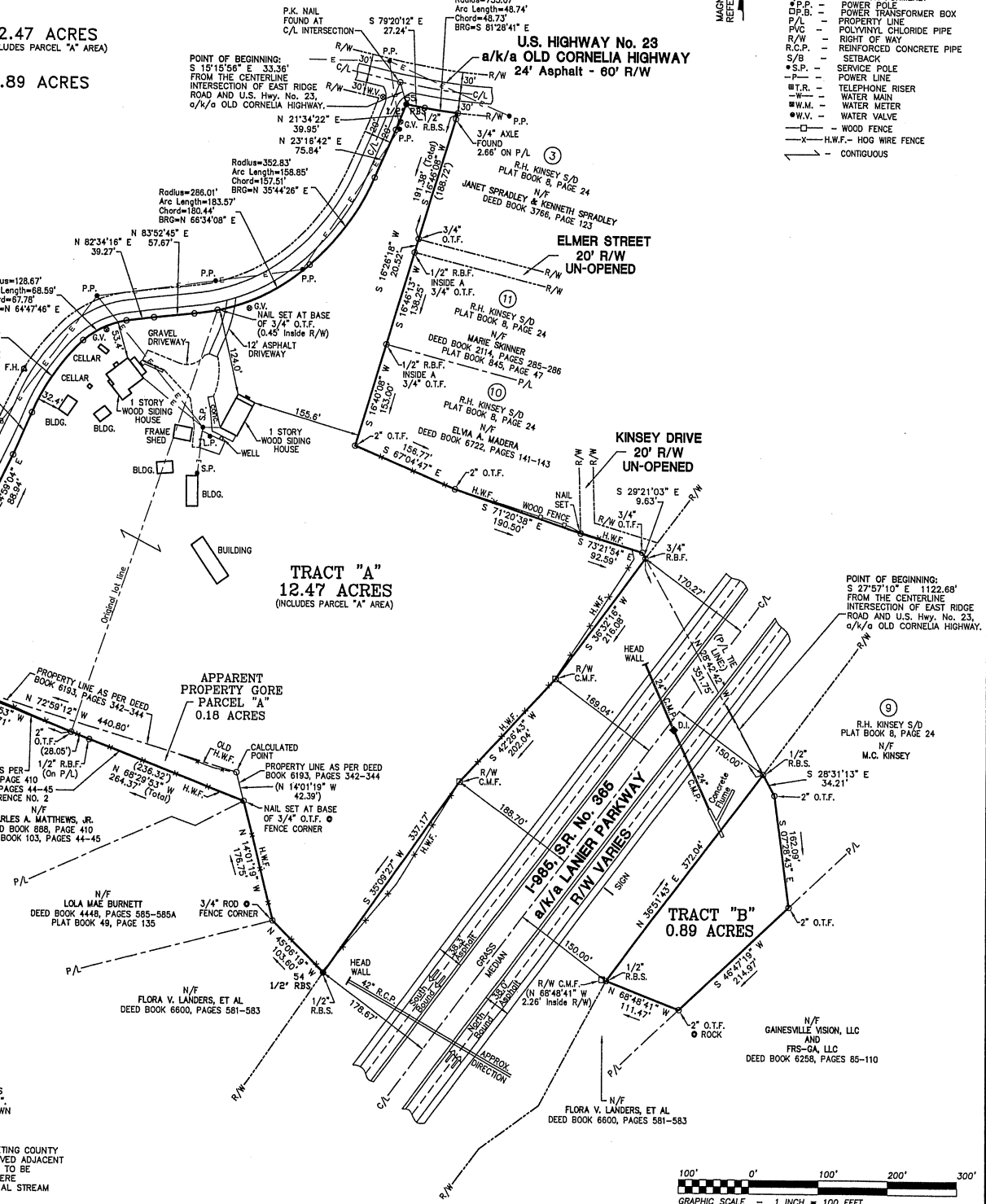
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THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 304,813 FEET



THIS SURVEY WAS NOT PREPARED FROM THE AID OF A TITLE SEARCH AND IS SUBJECT TO ANY RESTRICTIONS OR EASEMENTS THAT MIGHT BE RECORDED.

THIS PLAT OR SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTY OR PARTIES LISTED UNDER THE CAPTION "SURVEY FOR." ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

STATE WATERS BUFFER:
AN UNDISTURBED VEGETATIVE BUFFER MEETING COUNTY AND STATE REGULATIONS WILL BE PRESERVED ADJACENT TO ALL STREAMS AND LAKES. BUFFER IS TO BE MEASURED HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION.

PATTON
LAND SURVEYING

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 266
GAINESVILLE, GA. 30603
PHONE: (770) 692-6492
FAX: (770) 692-1906
www.pattonsurveying.com

SURVEYED BY: J.M.J. DRAFTED BY: R.G.W.
COMPUTATIONS BY: R.G.W. CHECKED BY: C.M.P.

SURVEY FOR:

DUNAGAN ESTATES PROPERTIES, LLC

- LOCATED IN -
GAINESVILLE, G.M.D. 411
HALL COUNTY, GEORGIA

GEORGIA
REGISTERED
PROFESSIONAL
LAND SURVEYOR
CHRIS M. PATTON

County Surveyor
Hall County, Georgia

SHEET NUMBER:
1 of 1

SCALE: 1" = 100'

SURVEY DATE: 06/18/2012
PLAT DATE: 06/20/2012

12-119.dwg
JN. 12-119



SMITH GILLIAM WILLIAMS & MILES

Project Narrative for

1376 East Ridge Road – 13.36 +/- Acres

Amended 04/04/2025

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

LOCATION – 1376 East Ridge Road

Gainesville, GA 30501

APPLICANT – 1376 East Ridge Road, LLC, *Brian Brinson*

CONTACT – Steven P. Gilliam, Attorney

CURRENT ZONING – R-1

PROPOSED ZONING – R-II

ACRES – 13.36 +/- Acres

SUMMARY

The accompanying Application seeks a Rezoning from R-I to R-II for 13.36 acres of property located at 1376 East Ridge Road, Gainesville, Georgia 30501. The intent is to develop 93 townhome units of quality, 20' and 24' wide traditional single-family fee simple townhomes with an amenity area and mail kiosk with parking. The proposed use is consistent with the City of Gainesville Future Land Use Plan for residential use and appropriate for the City of Gainesville R-II District for this location, which is residential.

SITE DESCRIPTION

The overall tract is 13.36 acres with direct access from East Ridge Road. The water and sanitary sewer services are provided by the City of Gainesville. There are no known impediments to its successful development for the purposes intended. All roadways within the development shall be designed and constructed to City of Gainesville standards and dedicated to the City of Gainesville for public use. Thereafter, the City of Gainesville will maintain the roads. There shall be a Homeowners Association (HOA) with a Declaration of Restrictive Covenants. The HOA shall be professionally managed until Developer has sold 100% of the units.

Street Address:

Smith Gilliam Williams & Miles, P.A.
340 Jesse Jewell Parkway, Suite 300
Gainesville, GA 30501

In Your Community. In Your Corner.

ADJACENCIES & ACCESS

The property is surrounded by R-I to the north, PUD to the east, AR-1 and I-1 to the south, and H-B and L-I to the west. Access to the property is from East Ridge Road and is adjacent to Lanier Parkway (Hwy 23) to the southeast.

PROJECT DIMENSIONAL STANDARDS

Parcel Size	13.36 +/- acres
Proposed Number of Lots	93
Proposed Density	7.45 U/A
Streets	Public
Water and Sewer Provider	City of Gainesville
Lot Sizes	20' x 100' and 24' x 90'
Amenities	Dog Park; Mail Kiosk with parking
Storm Water Management Areas	2
Minimum Setback from Sidewalk	20.42 feet from back of sidewalk to garage on the 24' lot and 20 feet from back of sidewalk to garage on the 20' lot
Sidewalks – Both Sides of the Street	5 feet
Mail Kiosk (CBU)	1 with parking
Setback from Right of Way	30 feet
Solid Waste Pick-Up	City of Gainesville

ARCHITECTURAL MATERIALS & SITE IMPROVEMENTS

All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement/Hardi-plank type siding. The builder intends to build:

- Single Family Fee Simple attached dwellings with one-car garages for the 20' x 100' townhomes, and two-car garages for the 24' x 90' townhomes.
- Front facades with a combination of masonry and fiber cement siding materials
- Side and rear facades with masonry, fiber cement siding, or shake siding
- Speed tables in coordination with City of Gainesville Engineering
- Each unit will be offset 3-4 feet from the neighboring units.
- All buildings contain six units.

SIGNAGE

Entry monument signs shall be located at the northeast and southeast entrances at East Ridge Road. All permanent signage must be outside of any Right of Way or Utility Easement with a Landscape and Signage easement recorded on the Final Plat.

AMENITIES

- Dog Park
- Guest Parking Spaces: 37
- Mail Kiosk (CBU)

CONCEPTUAL MASTER PLAN

The development of the community shall be controlled by the Conceptual Master Plan (the "Plan") attached as exhibit "A". The plan is considered conceptual in nature, and as such, may require minor modifications during the engineering and development process. Modifications to the locations and arrangement of lots, roads, amenities, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer so long as such modifications do not change the land use, increase the overall density of the project or reduce any established exterior buffers or setbacks.

REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE

Georgia law and the procedures of Hall County requires the Applicant to raise Federal and State constitutional objections during the R-II master plan application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the City of Gainesville Ordinance Code, facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the City of Gainesville Ordinance Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the

Applicant an economically viable use 7 of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the City of Gainesville to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

A denial of this Application would constitute an arbitrary and capricious act by the City of Gainesville without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the R-II zoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by the City of Gainesville City Council to approve this Application for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth 8 hereinabove.

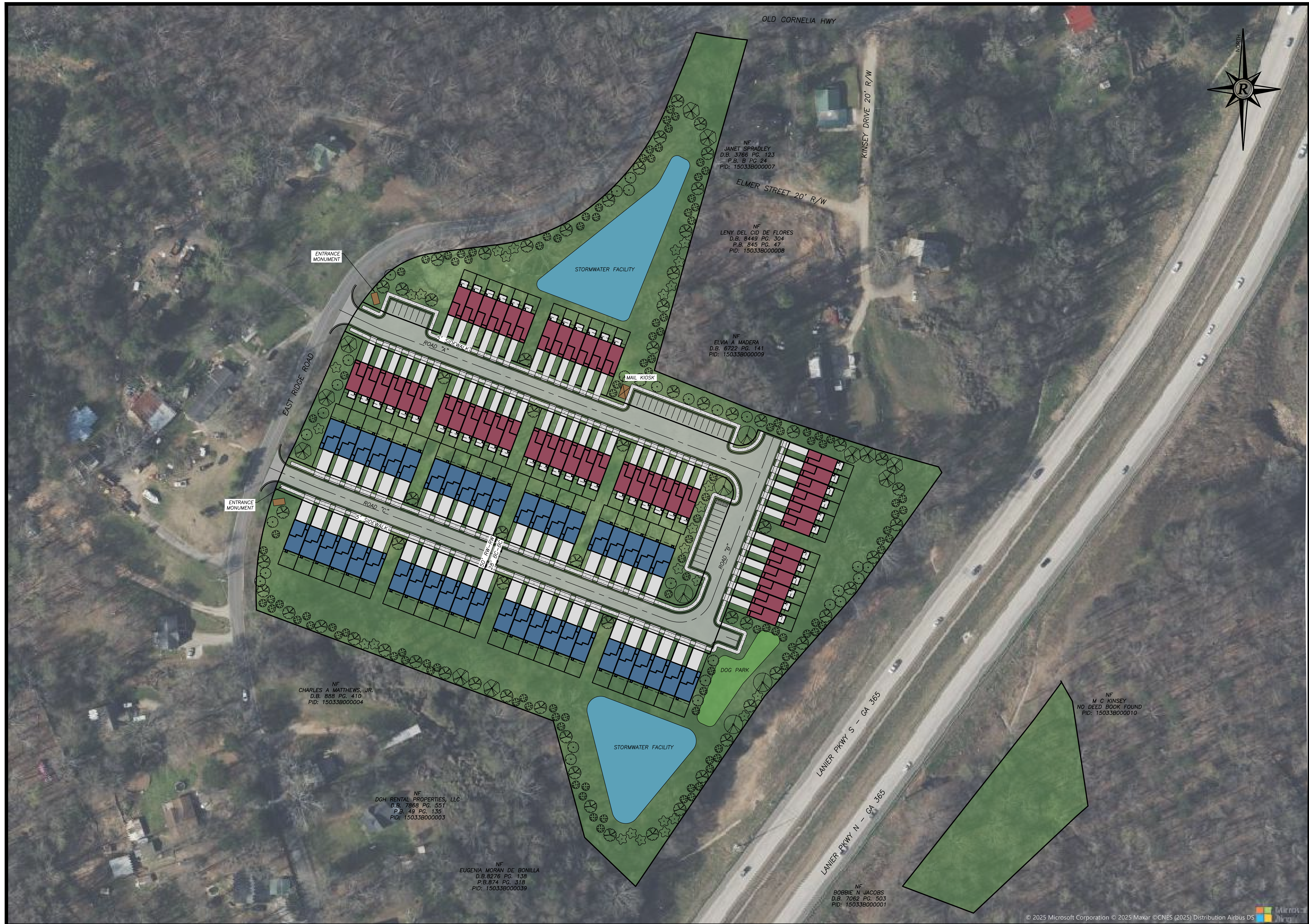
Applicant reserves all due process rights granted to them under O.C.G.A. 36-66-5.1. et. seq, to petition the courts for review of a local government's exercise of zoning, administrative, or quasi-judicial powers, as set forth in those code sections and statutes.

Conclusion

For the foregoing reasons, the Applicant respectfully requests that this requested Rezoning to R-II to the existing R-I zoning be granted as requested by the Applicant. If there are any questions about this request, you may contact:

Bryan Brinson
1376 East Ridge Road, LLC
bryanbrinson@outlook.com
404-323-5461

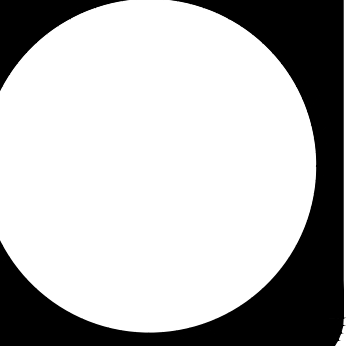
Steven P. Gilliam
Smith, Gilliam, Williams & Miles, P.A.
sgilliam@sgwmfirm.com
770-536-3381



NO.	DATE	DESCRIPTION	REVISIONS

ANY CHANGES OR ALTERATIONS MADE TO THIS DRAWING WITHOUT THE WRITTEN APPROVAL OF ROCHESTER | DCCM VOIDS THE SEAL SHOWN HEREON AND ORIGINAL DRAWINGS ARE KEPT ON FILE FOR VERIFICATION OF ANY CHANGES.

GRAPHIC SCALE
 30' 0" 60' 120'



SHEET	1
OF	1
DATE:	04/08/2025
SCALE:	1"=60'
JOB NO.:	15033B000005
DRAWN BY:	KS/ABU

NOTES:

SITE AREA:
 TRACT 1: 12.47 ± AC
 TRACT 2: 0.89 ± AC
 TOTAL: 13.36 ± AC

TOTAL UNITS: 92

LOT SIZE: 20' X 100'
UNITS: 48

LOT SIZE: 24' X 100'
UNITS: 44

DENSITY: 7.37 UNITS/AC

TOTAL PARKING: 37 SPACES

ATTACHED BUILDING SETBACKS:

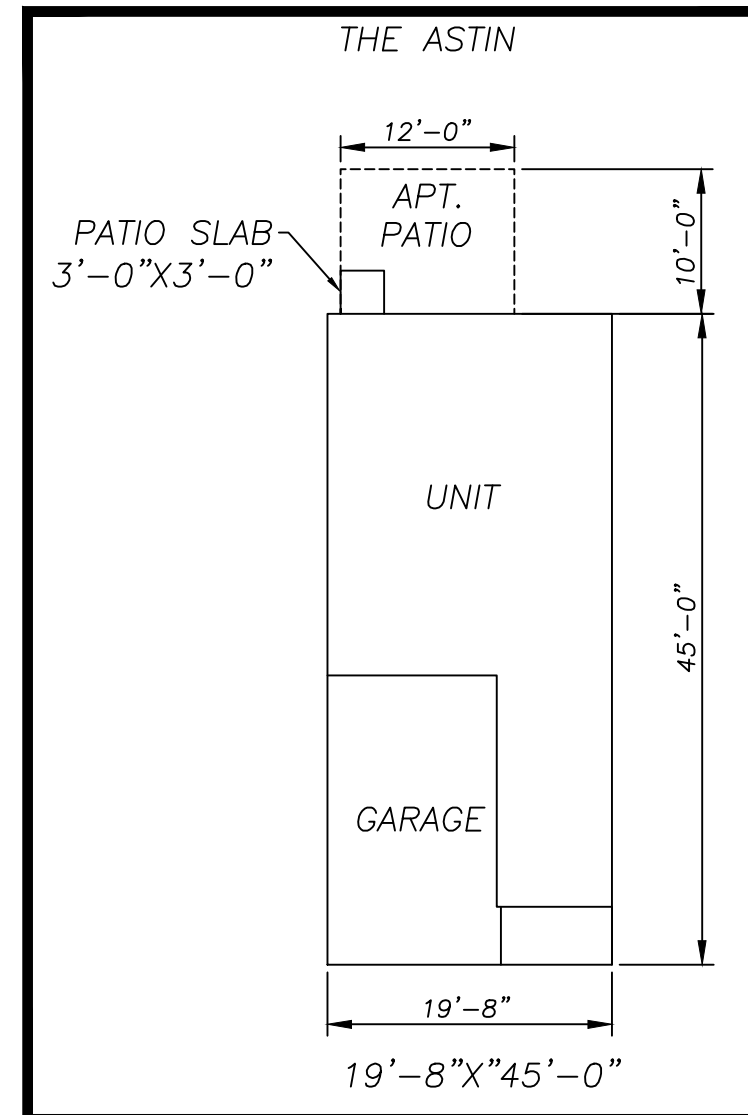
FRONT: 30'
 REAR: 20'
 SIDE: N/A
 MIN. SEPARATION: 20'

TYPICAL STREET: 28' BC/BC, 50' R/W

SIDEWALKS: 5' (BOTH SIDES OF STREETS)

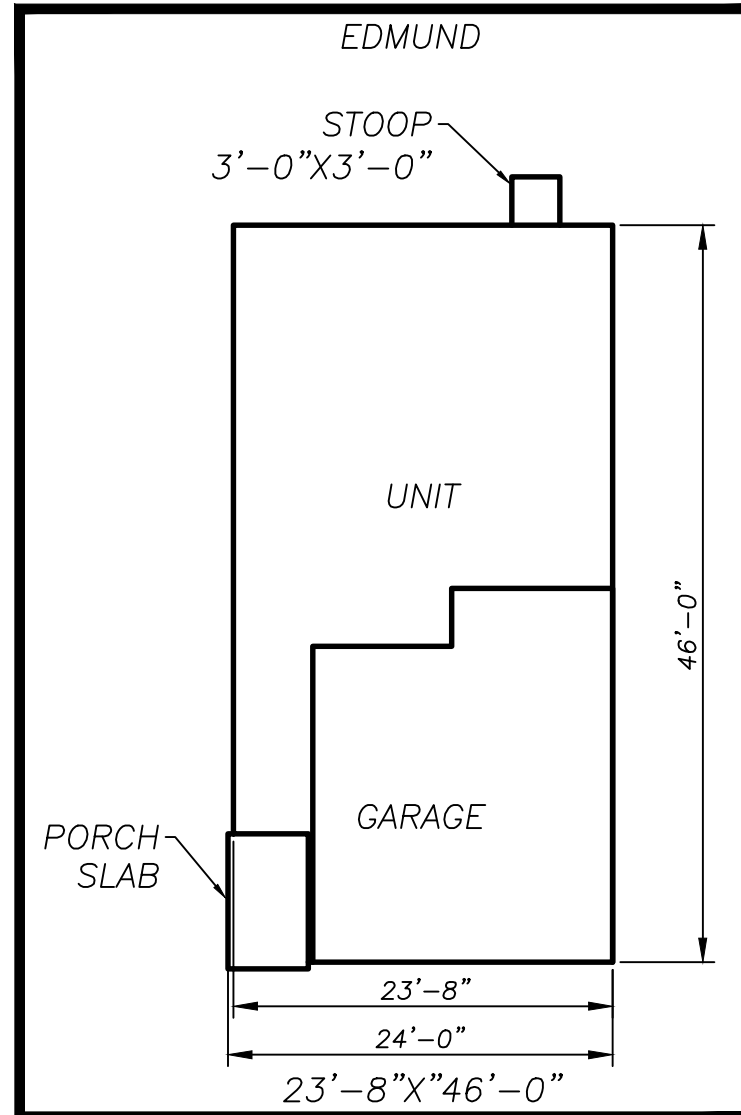
BEAUTY STRIP: 2' GRASSED STRIP (BOTH SIDES OF STREETS)

SINGLE FAMILY ATTACHED PRODUCT
 N.T.S.

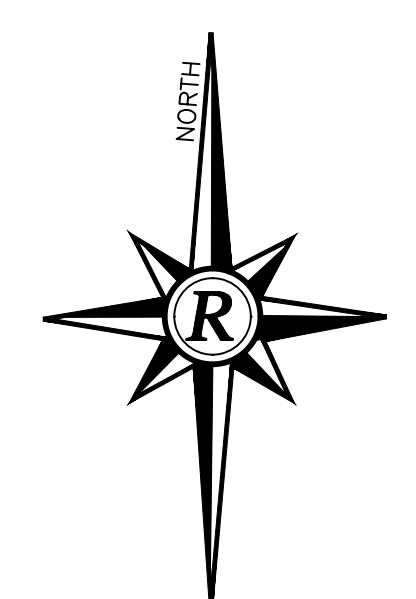
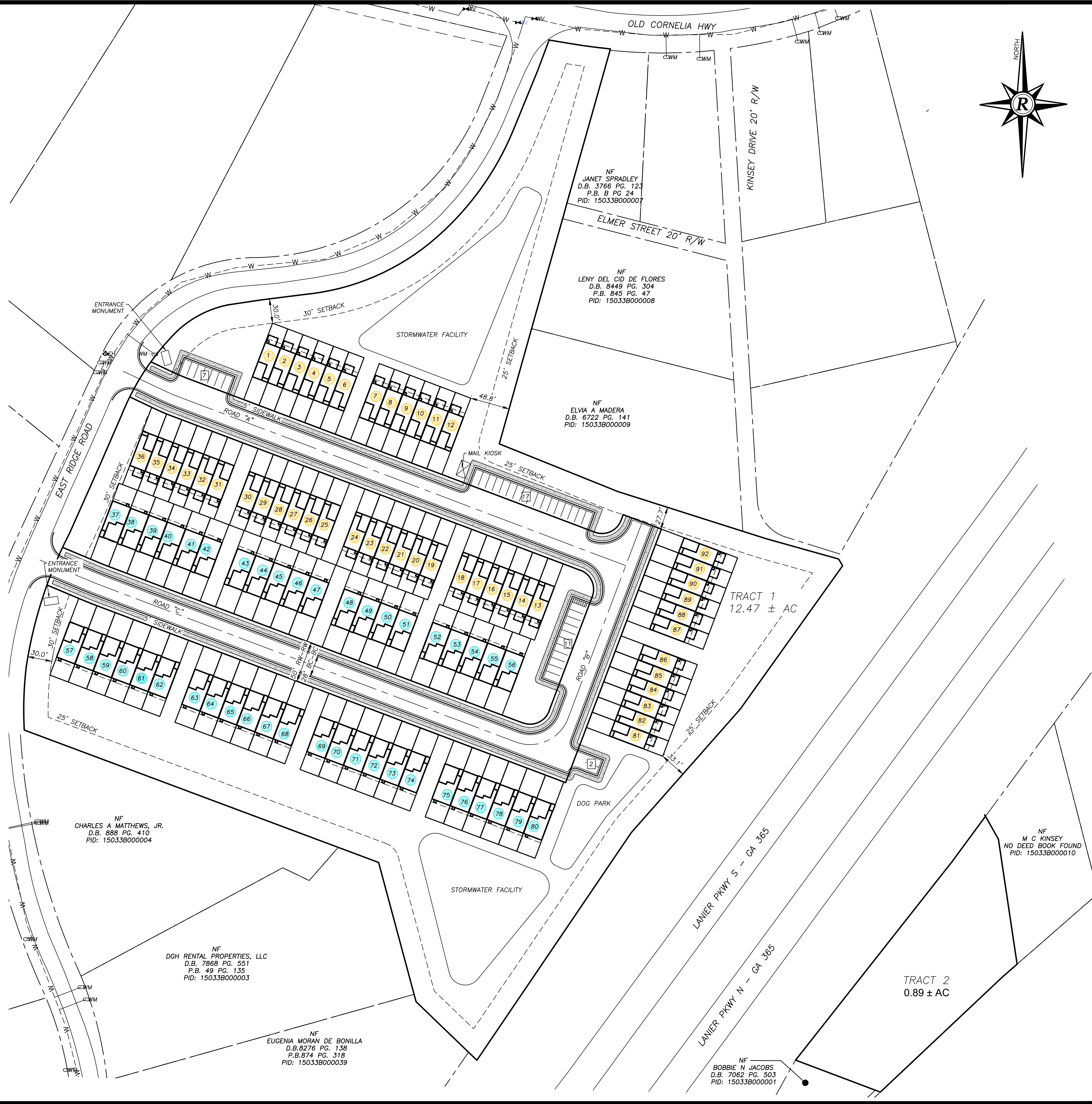
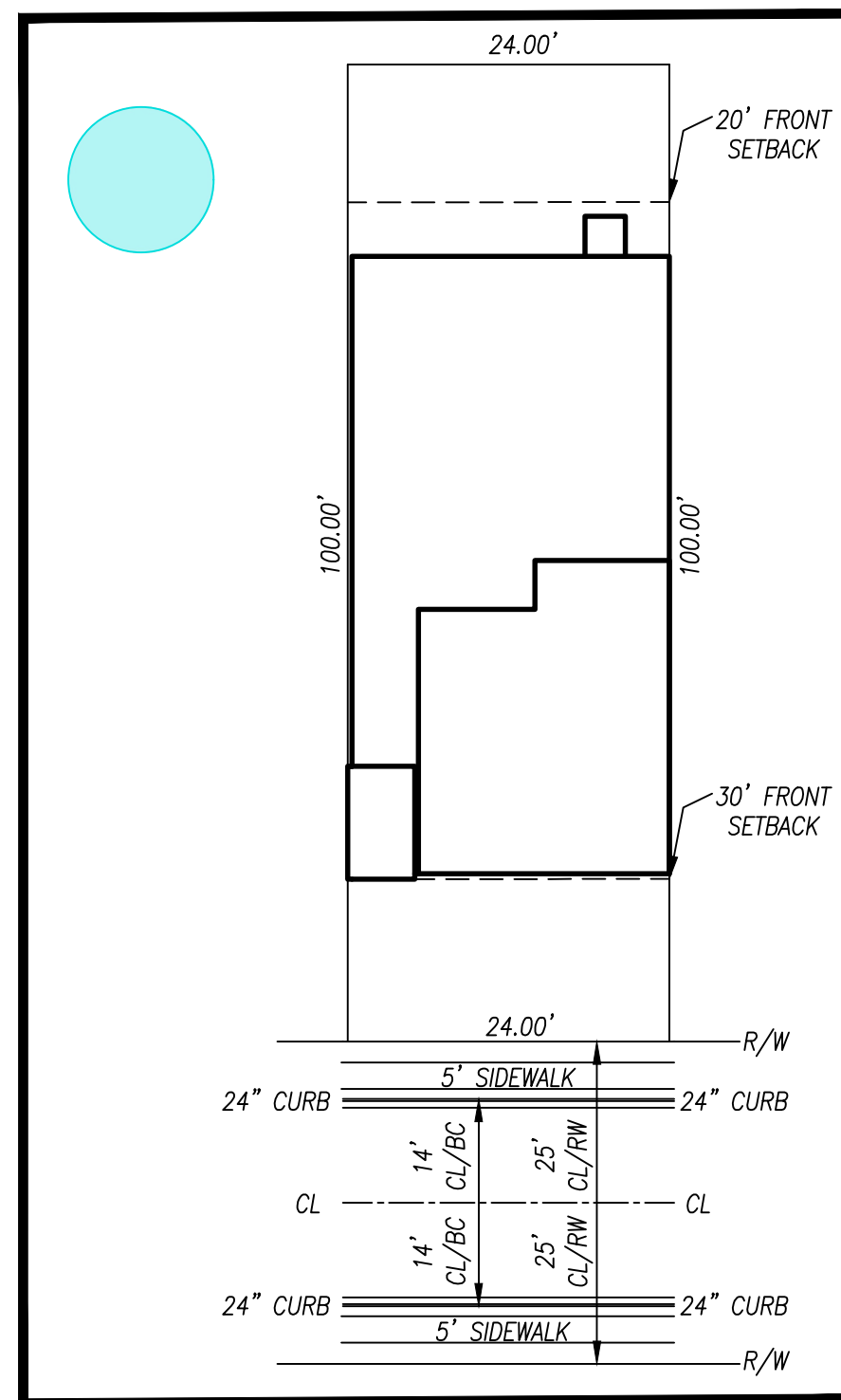
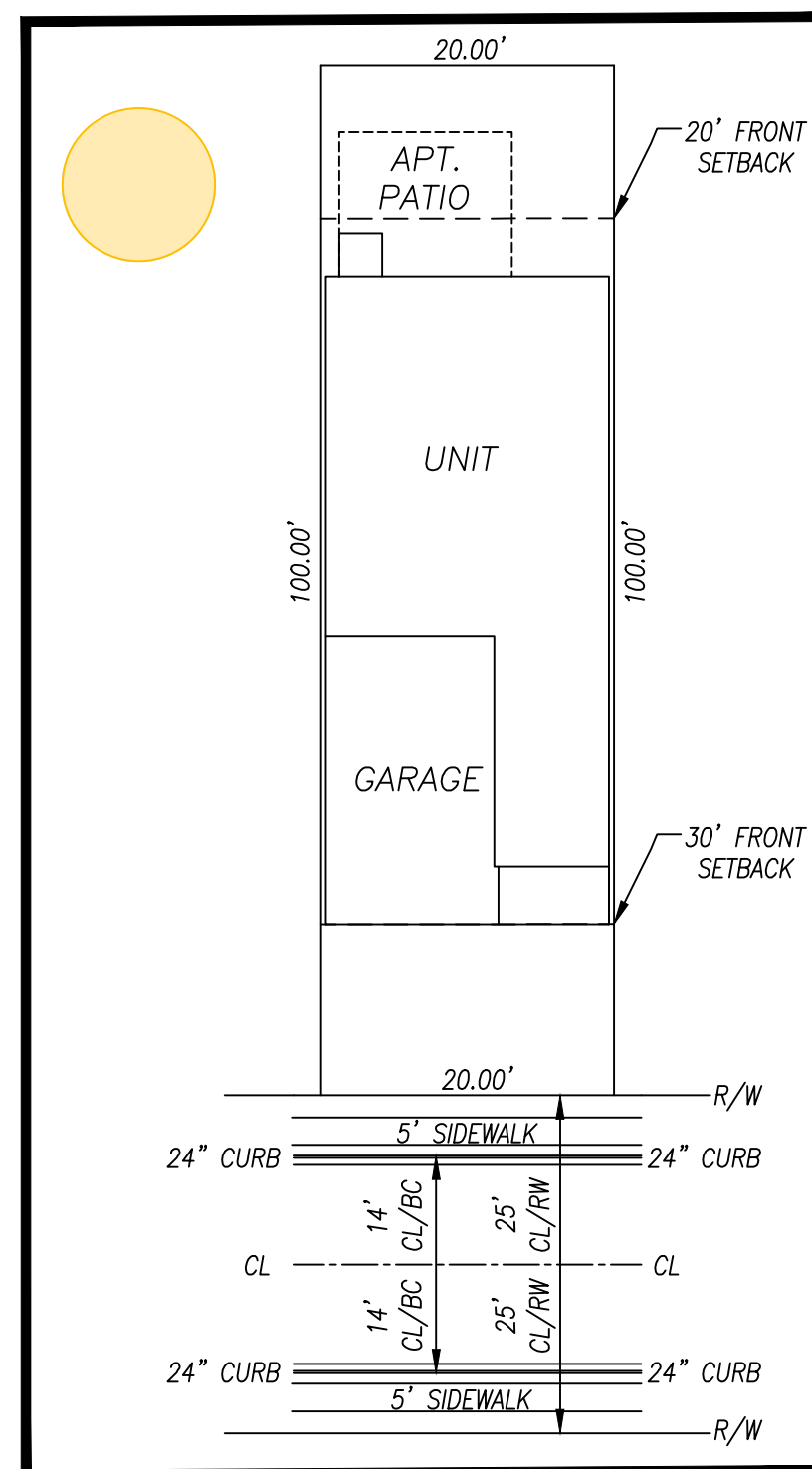


TRIPICAL LOT
 20' X 100' LOT
 N.T.S.

SINGLE FAMILY ATTACHED PRODUCT
 N.T.S.



TRIPICAL LOT
 24' X 100' LOT
 N.T.S.



Rochester **DCCM**
 Rochester & Associates, LLC
 425 Oak St NW, Gainesville, GA 30501
 770.718.0600 | rochester.dccm.com

1376 EAST RIDGE ROAD
 FOR: SITE EXHIBIT
 PID: 15033B000005
 LOCATED IN
 GAINESVILLE DISTRICT, GMD 411
 HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	REVISIONS

ANY CHANGES OR ALTERATIONS MADE TO THIS DRAWING SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE WRITTEN APPROVAL OF ROCHESTER/DCCM IS REQUIRED FOR ANY CHANGES TO BE MADE TO THIS DRAWING. ORIGINAL DRAWINGS ARE KEPT ON FILE FOR VERIFICATION OF ANY CHANGES.

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 30' 0" 60' 120'

SHEET
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 OF
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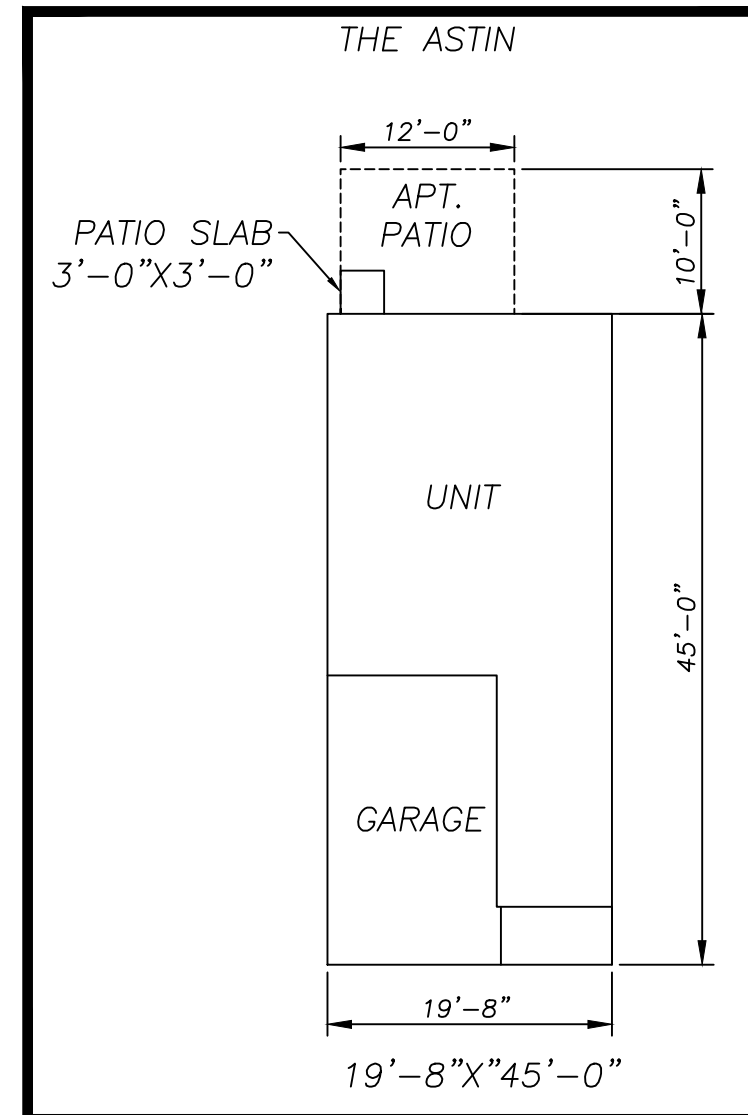
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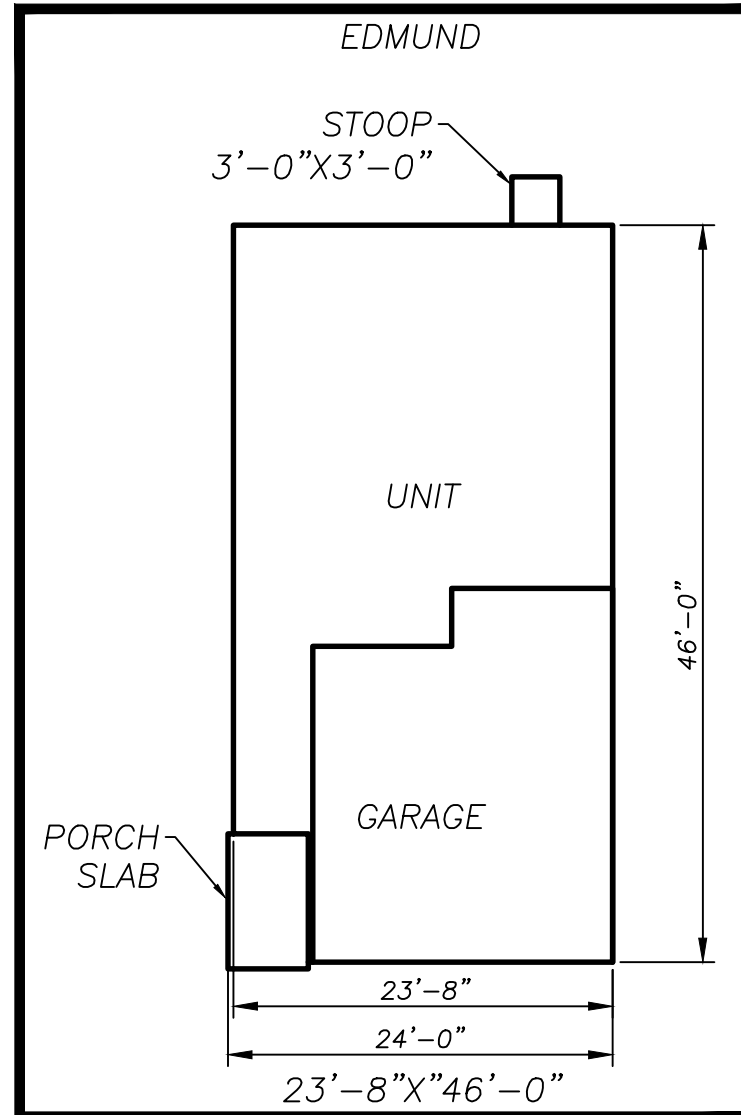
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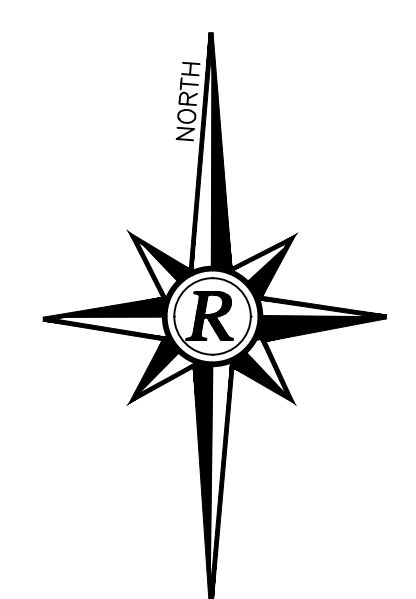
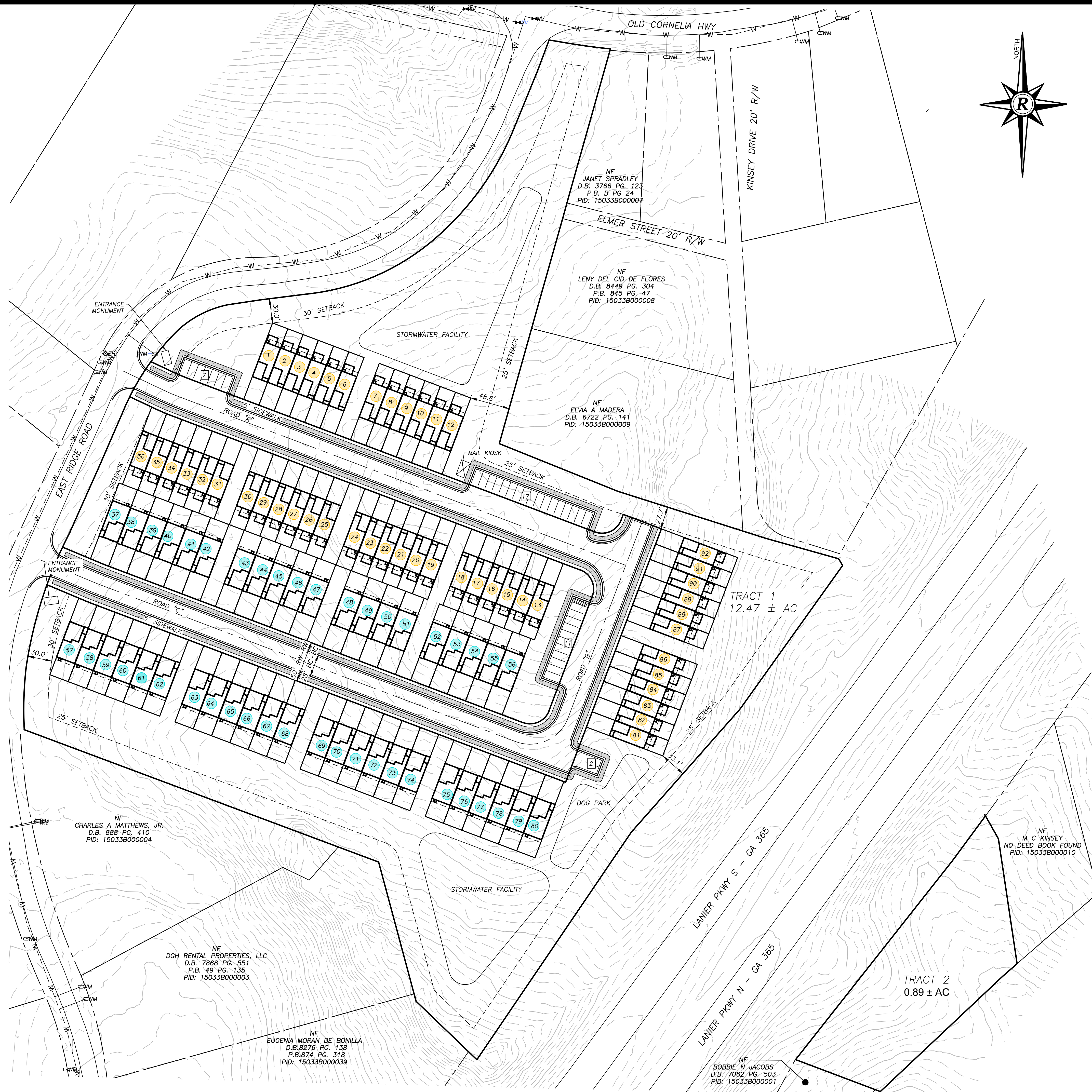
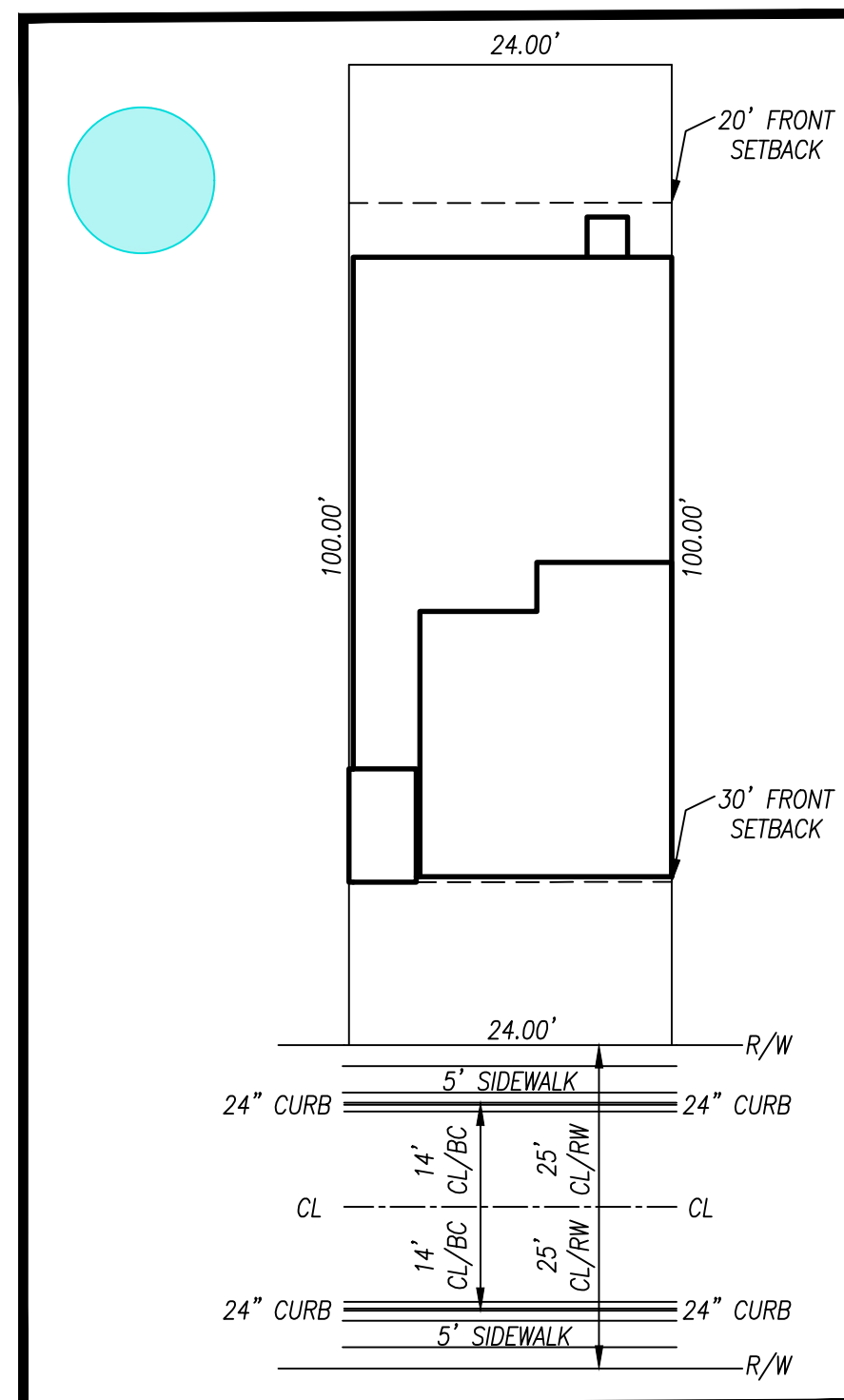
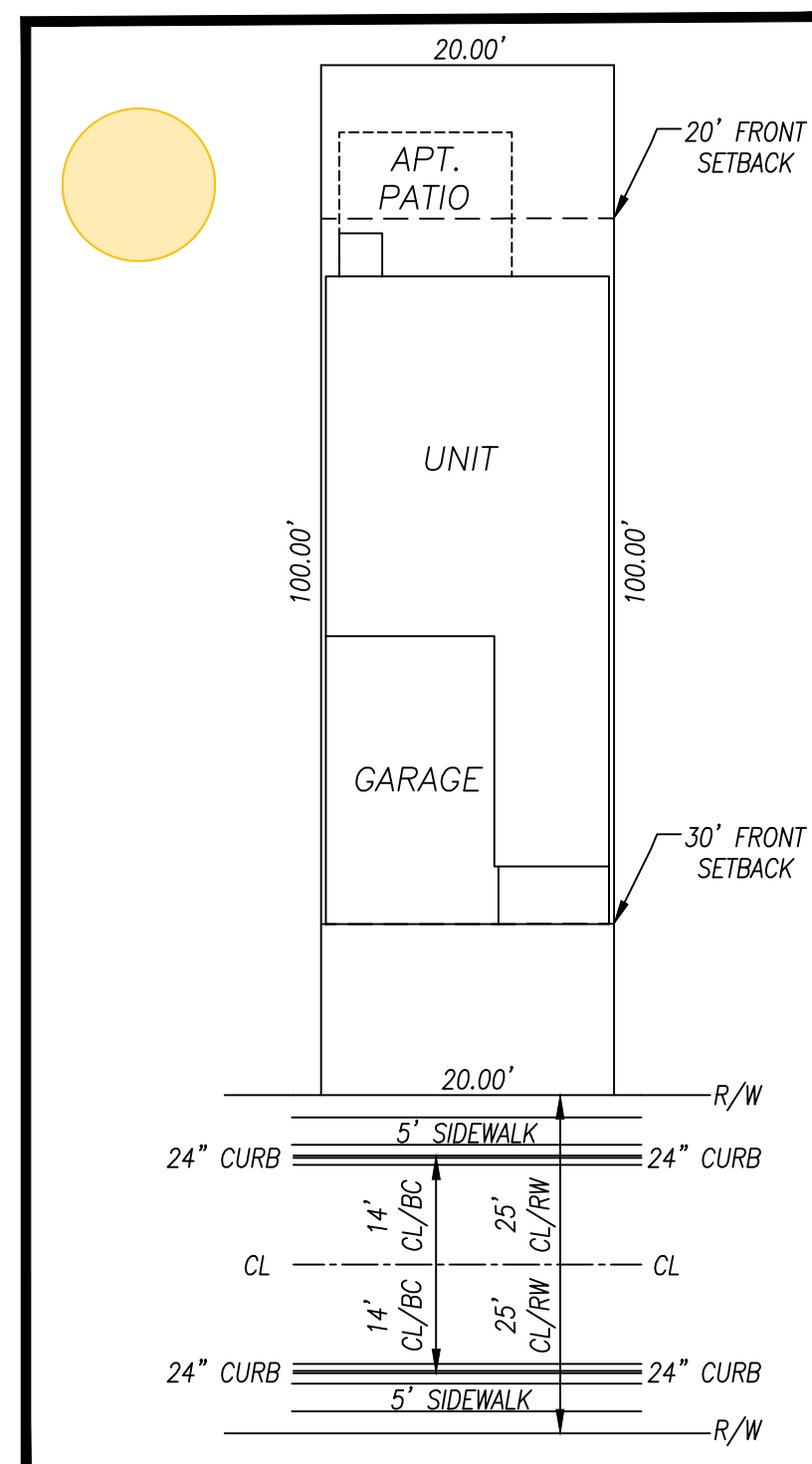


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 20' X 100' LOT
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SINGLE FAMILY ATTACHED PRODUCT
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TRIPICAL LOT
 24' X 100' LOT
 N.T.S.



Rochester
 DCCM
 Rochester & Associates, LLC
 425 Oak St NW, Gainesville, GA 30501
 770.718.0600 | rochester.dccm.com

FOR:
1376 EAST RIDGE ROAD
PID: 15033B000005
 LOCATED IN
 GAINESVILLE DISTRICT, GMD 411
 HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	REVISIONS

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24' Wide Unit - Two Car Garage



20' Wide Unit - One Car Garage