

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
NOVEMBER 10, 2025**

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

Members Present: Chairman Doug Carter 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: None

MINUTES OF OCTOBER 14, 2025

There was a motion to approve the minutes as presented.

Motion made by Board Member DeFoor
Motion seconded by Board Member Fleming
Vote – 6 favor, 1 vacant

OLD BUSINESS

There was a motion to remove the annexation request from the table.

Motion made by Board Member Martin
Motion seconded by Board Member Young
Vote – 6 favor, 1 vacant

A. Annexation Request

- 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

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

The applicant is proposing to annex the subject 13.36± acres property with a zoning of Residential-II (R-II) for residential townhomes on public sewer. The property is currently zoned Residential-I (R-I) within unincorporated Hall County, is partially wooded and has road frontage on East Ridge Road, Old Cornelia Highway and I-985.

Prior to being tabled, the original proposal included a total of 93 fee-simple townhomes consisting of a mixture of one and two-car garage units at a residential density of 7.45 du/ac. The amended request proposes a total of 79 fee-simple townhome units, all with two-car

garages at a residential density of 5.91 du/ac. As well, a total of 25 of the 79 units are targeted towards 55 years of age or older.

As part of the development, two access roads are proposed from East Ridge Road, which is a county-maintained road. A total of 36 guest parking spaces, a mail kiosk and a dog park are proposed as well. The proposed townhomes are two-story units and include 3 bedrooms and 2.5 bathrooms, 1,670 sf of heated space.

The Gainesville Comprehensive Plan places the subject property within the *Single-Family Residential Future Land Use* category and the *Suburban Neighborhoods Character Area* which permits single-family detached or semi-detached and limited multi-family residential at densities ranging from 2 to 4 du/ac which is a maximum of 54 dwelling units.

The Gainesville City School System provided a letter of opposition to the request. It is the staff's opinion that the proposed use is consistent with the Gainesville Comprehensive Plan, but the residential density is above 4 du/ac.

The Planning Division staff is recommending **conditional approval** of this annexation request with **Residential-II (R-II)** zoning with 9 conditions. However, if the PAB is considering approving this request, staff would recommend an amendment to zoning condition #1 to limit the total number of units to 79 and 25 of them being age restricted units.

Applicant Presentation: Attorney Steve Gilliam, 340 Jesse Jewell Parkway, Suite 300 stated the applicant and builder were both unable to attend the meeting due to weather or traffic issues. Attorney Gilliam presented a power-point presentation explaining the proposed project with 79 for sale fee-simple townhome units of which 25 units age restricted 55 & older. He advised the average cost would be \$350,000 with a density 5.9 units per acre, mandatory HOA and restrictions for developers/investors to no more than 20 percent of the units leased, two access points on East Ridge Road and would be serviced by city water and sewer. Attorney Gilliam spoke about the development called "The Edmund Product" with Rockhaven Homes being the developer, 3 bedroom / 2 ½ bath homes, offset and staggered, 1,670 heated square feet, open floor plan, 16 ft standard driveway width, two car garages, 36 guest parking spaces, dog park, mail kiosk, and in agreement with the conditions. He mentioned the city school board was not in favor of the project with concerns of school age children but received a census from the developer considering percentages equals to approximately 10 school age children for the entire development and there would not be a playground or other amenities for children. He spoke about the Gainesville Future Land Use Development Plan being a guide, not an ordinance and the board would have authority to recommend a higher density.

FAVOR: None

OPPOSE: Tiffany Tuck, 362 Hardwood Drive, Cleveland, spoke on behalf of her mother (2012 Old Cornelia Highway) and aunt with two concerns with the project. The first and main concern mentioned was having a 50 ft undisturbed buffer adjacent to the detention pond and the other traffic issues since there are no traffic lights to help with traffic flow at Old Cornelia and Jesse Jewell.

Donna Jones, 2030 Old Cornelia Highway, advised she owns property at 2020 Old Cornelia Highway and 2024 Old Cornelia Highway is under contract and is a lifelong resident of Rabbittown. She advised traffic was a major concern along with drivers speeding and theft of vehicle parts. She mentioned other concerns such as not able to get on the city sewer, the development would allow people to come across her property and not safe to be outside,

speeding of vehicles making it unsafe to walk to the mailbox and no traffic light for at two intersections.

Chairman Carter stated if the project was approved would provide the potential for sewer service in future. He asked Deputy Tate to comment on the setbacks for the detention pond and advised there would be a 25 ft buffer required between the property line and detention pond with the detention pond being fenced.

Board Member Martin asked about sidewalks and Deputy Tate confirmed five foot wide sidewalks will be required.

Attorney Gilliam agreed with Deputy Tate and sewer access would be available for them and not just for the development buffer along with complying with code of being fenced. He advised with the home price of \$350,000 there would not be anyone stealing parts from vehicles.

Board Comments: **Board Member Young** asked for confirmation about bus service being only on the east and west of Old Cornelia Highway but not on East Ridge Road. Deputy Tate confirmed and stated the bus service goes all the way east to the Gainesville Township development which will have school age children.

There was a motion to recommend conditional approval of the annexation request for residential townhomes and establish zoning as Residential-II (R-II) with the following conditions amending condition one:

Conditions

1. The subject property shall be limited to a maximum of **79** residential units. **A minimum of 25 units shall be age-restricted (55 years of age or older).** Multi-family apartments are not permitted.

The development shall comply with applicable U. S. Department of Housing and Urban Development (HUD) rules for age-restricted communities. The organization established for the management of the development shall comply with HUD rules for verification of occupancy and shall maintain procedures for routinely determining the occupancy of each unit. Such procedures may be part of a normal leasing or purchasing agreement and must provide for regular updates as required by HUD.

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.

Motion made by Board Member Martin

Motion seconded by Board Member Simmons

Vote – 6 favor, 1 vacant

NEW BUSINESS

A. Annexation Request

- 1) Request from **Greg Loyd** to annex a 0.43± acre tract located on the northwest side of the intersection of Lyman Street and Pearl Nix Parkway (a/k/a **1432 Lyman Street, SW**), with a zoning of Residential-II (R-II).
Ward Number: Five
Tax Parcel Number(s): 00-126-004-006
Request: Two duplex apartments

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

The applicant is proposing to annex the subject 0.43 acre property with a zoning of R-II for two-duplex apartments. 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 units are 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 Lyman Street, 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 9.75± 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, and office located at 1730 MLK and is the general contractor representing Mr. Carrillo. Mr. Loyd advised he has built several duplex apartments, similar in style and nothing to add to the staff report. He did state the previous owner had demolished structures on the property before Mr. Carrillo purchased it. He spoke about a 3 ft stone watermark being added, and was unsure of rental rate but anticipated it would be \$1,600 to \$1,800 per month for 3 bedroom, 2 ½ bath, single car garage and ample space for another vehicle in driveway.

FAVOR: None

OPPOSE: None

There was a motion to recommend conditional approval of the annexation request for two duplex apartments and to 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, indicating new property boundaries, 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, Hall County and/or the Georgia Department of Transportation.

- 4. The front yard of each lot shall be sodded and planted with at least one 3” caliper in size hardwood tree.**
- 5. The front, rear, and sides of each townhome unit 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 privacy 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 DeFoor
Vote – 6 favor, 1 vacant

B. Code Amendment Request

- 1) Request from the City of Gainesville to amend the Unified Land Development Code and official zoning map for the City of Gainesville, Georgia to repeal and replace in its entirety Title 9, entitled “Unified Land Development Code”.

Staff Presentation: Nathan Brown with TSW in Atlanta specializing in planning and working with staff since May 2023 to revise the ULDC. He reviewed the edits and proposed changes and the request should go to City Council in December.

Mr. Brown advised the process involved Attorney Joe Cooley reviewed codes from a legal perspective, reviewed planning documents over past years, Downtown Master Plan, Comprehensive Plan, including interviews with sixteen to twenty people that works with the code, along with three steering committee meetings. He stated the existing ULDC is good but would not be a full code rewrite, updates to align with policies approved by the council over the past few years.

Technical changes: Reduce number of articles from 24 to 20, combine definitions to single location, cleaned up district tables, removed duplicate text and added few more graphics.

Policy Changes: Stormwater process for single-family and two-family lots, lots with steep slopes will have additional stormwater review.

Residential Density: Downtown and Midland overlay density changed from 12 to 18 units per acre; Downtown density limited by maximum height and size of property, off-street parking required in Central Business districts for developments over 18 dwelling units per acre, special use permit to increase density, 2 spaces per unit plus 1 guest space for every 10 units.

Residential Districts: Residential height for infill development in R-I and N-C districts, Adjacency Based Option - property around to determine height, height for buildings within 200 ft on either direction not to exceed 20 percent above the average height. Another provision, additional height permitted upon an increased side setback; administrative waiver applies when topography or other site conditions don't warrant compatibility.

Policy Updates – overlay changes: Midland Overlay expanded, all residential uses to be permitted by right in overlay; added prohibited uses from 32 to 37; setbacks along streets reduced from 15 ft now 5ft from back of sidewalk.

Auto Oriented Uses: Differentiate between new and used sales; standards include minimum lot size requirements, no outdoor repairs, storage limits, parking plans, landscaping and screening, separation requirement for used auto sales of 1,320 feet (¼ mile).

Auto Repair: Differentiate between minor and major repair; new standards for lot sizes of 1.0 acres for minor and 2.0 for major; no outdoor repairs, storage limitations, parking plans and landscaping and screening.

Policy Updates: Landscaping; property owner must maintain and enhancement landscaping.

Next Steps: City Council Adoption on December 16, 2025.

Chairman Carter complimented on a great presentation, thorough and understandable.

Deputy Director Tate reminded the board part of the amendment includes amending the official zoning map as well. Chairman Carter stated it only needed one motion amending ULDC and the official zoning map.

FAVOR: None

OPPOSE: None

There was a motion to recommend approval of the code amendment request as presented.

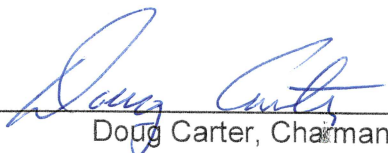
Motion made by Board Member Fleming
Motion seconded by Board Member Martin
Vote – 6 favor, 1 variant

ADJOURNMENT

There was a motion to adjourn the meeting at 6:21 p.m.

Motion made by Board Member Martin
Motion seconded by Board Member Young
Vote – 6 favor, 1 variant

Respectfully submitted,



Doug Carter, Chairman



Gwen Fleming, Recording Secretary

