



THE REVIVE LAND GROUP

March 4, 2025

Beth Garmon
Planning Director
Hall County Planning Department
2875 Browns Bridge Road
Gainesville, GA 30504

Sent Via E-Mail

RE: Further Revised Narrative for 4844 Cagle Road, Case # HZON24-0047

Beth,

After receiving feedback from Hall County Planning Staff and Hall County Planning Commissioners, The Revive Land Group submits this further revised narrative to coincide with our revised site plan dated March 4, 2025 and attached to this correspondence. Per your feedback, we have removed the on-street guest parking for the development. The site plan is otherwise unchanged from our submission on February 25, 2025.

Please let me know if you have any questions regarding the new site and plan and this revised narrative. We look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'N. Allison', is written over a light blue circular watermark.

Neville Allison
Managing Partner

THE REVIVE LAND GROUP
One Alliance Center
3500 Lenox Road, Ste 625
Atlanta, GA 30326



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February 19, 2025

Beth Garmon
 Planning Director
 Hall County Planning Department
 2875 Browns Bridge Road
 Gainesville, GA 30504

Sent Via E-Mail

RE: Revised Narrative for 4844 Cagle Road, Case # HZON24-0047

Beth,

After receiving feedback from Hall County Planning Staff and Hall County Planning Commissioners, The Revive Land Group submits this revised narrative to coincide with our revised site plan dated February 19, 2025 and attached to this correspondence. While our proposal still contemplates the Residential Mixed zoning category (RX), the site plan now depicts 207 traditional single-family lots that are all 8,000 square feet or larger, and 55 townhome units, measuring 24x52 with front load garages, on a fee simple lot with an area of 2,000 sqft or greater. This layout and product mix meets the criteria for the RX category listed in Hall County's UDC. This layout of 262 total units represents a density of 2.58 units per acre, well below the maximum density of 16 units per acre outlined in Hall County's Comprehensive Plan and well below the maximum density of 8 units per acre as outlined in the RX criteria of the UDC. All setbacks and lot dimensions meet the criteria outlined in the UDC. The general layout and amenities of the updated site plan are substantially similar to the previously submitted site plans, with the only substantive change being the exchange of fee simple Cottage Court homes, for fee simple Townhomes in order to meet the criteria listed in the UDC.

Revive has also explored phasing of the project but needs to remain flexible on engineering and infrastructure installation efficiency and therefore proffers that no more than 150 units shall be built until at least two fully functioning entrances are installed and completed, per Hall County fire Code. Further, it is proffered that the central active amenity area shall be complete prior to 30% of the homes receiving a certificate of occupancy. Revive has added 51 on street guest parking spaces throughout the development, in addition to the guest parking located at the central amenity area. The travel lanes are not impacted by these spots, as the road widens out 9' for these dedicated spaces. It should be noted that the development meets all parking requirements without the addition of these on street parking spaces, however, they allow guest parking to be spread throughout the development as opposed to only one location. All driveways to the townhomes and single-family homes are a minimum of 22' long from the garage to the sidewalk,

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allowing for ample parking on each driveway as well. All building elevations and exterior materials shall meet the criteria listed in the UDC and elevations examples of the townhomes have been added to this submittal. Access easements to each stormwater pond are also shown on the revised site plan.

Please let me know if you have any questions regarding the new site and plan and this revised narrative. We look forward to working with you.

Sincerely,



Neville Allison
Managing
Partner

Project Narrative for Cagle Road Tract

LOCATION – 4841, 4844, and 4865 Cagle Road Lula GA.

ACREAGE – 101.570 acres +/-

APPLICANT – The Revive Land Group, LLC

Summary

The accompanying application seeks zoning district change from AR-I to RX for 101.57 acres +/- of undeveloped property located at 4841, 4844, and 4865 Cagle Road Lula, GA at the northeast intersection of Hwy 365 and Cagle Road. The intent is to develop up to 248 units of quality single-family detached housing under Hall County's RX (Residential Mixed) District. The proposed use is consistent with the Hall County Comprehensive Plan for "residential" use and appropriate for Hall County's Mixed Residential (RX) District and for this location. The Hall County 2045 Comprehensive Plan Designates this property within the Employment and Business Corridors. RX is listed as an appropriate and recommended use within this character area in the Hall County 2045 Comprehensive Plan Future Land Use Map. Completion of development is anticipated by 2026, with the vertical build out anticipated by 2030. Lastly, this development will provide much needed housing for Hall County, as outlined in Hall County's Comprehensive Plan.

Site Description

The parcel has approximately 3661+/- LF of frontage along Highway 365 and 1751+/- LF along Cagle Road. The property is rectangular with approximately 96.902 acres on the north side of Cagle Road, and approximately 4.68 acres on the southeast side of Cagle Road. The site is developed as a working farm, with four existing residences, barns, and a mixture of pastures and pines/hardwood trees. The property is bifurcated by three streams and has three existing ponds on site. In addition, several small areas of jurisdictional wetlands are also present. Domestic water will be provided by the City of Gainesville and is along Hwy 365. Hall County will serve the property with sanitary sewer via an on-site pump station, with an existing force main located along the property frontage on Hwy 365. All other dry utilities are located within a reasonable distance for service extensions.

There are no known site impediments to the property's successful development as a single-family subdivision.

Adjacencies

The property is surrounded by residential zoning to the south and east (AR-I) and Planned industrial to the north and south (PID) and Planned Commercial (PCD) to the west of the property, across Hwy 365. Hwy 365 borders the property to the northwest and Southern Railroad borders the property to the southeast.

Access

Two Entrances are proposed to the main portion of property north of Cagle Road, from Cagle Road. A third entrance is proposed to the portion of the property located on the south side of Cagle Road. The applicant's two entrances will not only provide additional safety to the community, but also improve traffic circulation within the development. The main roads within

the development shall be built to Hall County DOT standards, and the cottage homes product will be accessed via private driveways/alleys, as allowed under the RX portion of the Hall County UDO.

Proximity to Other Uses

- Nearest distance to developed commercial property 845 LF northeast- parcel 09085 000008 zoned SS located at 4336 Cornelia Highway.
- Nearest distance to undeveloped commercial property -448 LF northwest, parcel 12100 000004 zoned PCD, located at 0 Cornelia Highway.
- Nearest distance to a single family home - a single family home at 4659 Cagle Road is located 295 LF from the southern boundary.

Aerial View



Comprehensive Plan Consistency

The project is consistent with the Employment and Business Nodes designation of the Future Land Use Map. These nodes allow residential development up to 16 units per acre, far exceeding the project’s proposed density of 2.44 units per acre.

Traffic Impact Study

A Traffic Impact Study has been completed and is attached as part of this application. The findings of the report indicate that the traffic generated from the proposed development will not have a negative impact on existing traffic in the area.

Development Strategy

The property is planned for 193 traditional use single-family homes ranging from 1,800 SF to more than 3,500 sqft. The property is also planned for 55 Cottage Homes, which is a product type incorporated into the Hall County UDO specifically to address the “Missing Middle” Housing type within the county. The Cottage Home product would have a minimum heated sqft of 1,600 sqft. This mixed product design will allow multiple price points and square footages to be built, addressing the needs of many different buyers.

Project Dimensional Standards

Proposed Dimensional Standards	
	Single Family – Detached & Cottage Homes
Acreage (Overall)	101.570
Density (Overall)	2.44
# of Lots	248
Exterior Landscape Strip	20'
Minimum Open Space (Overall)	30% (30.471 Acres)
Open Space Provided	53% (54.269 Acres)
Sidewalks	5', both sides
Minimum lot width @ building line	50' SF Lots 41' Cottage Courts
Minimum lot area	8,000 sf Single Family 4,000 SF Cottage Home
Maximum height	35'
Front setback	25' Single Family 15' Cottage Home
Rear setback	10' Single Family 10' Cottage Home
Side setback	5'
Corner Lot Setback (non-front side)	5'
Side Separation (foundation to foundation)	10'
Garage - % of front façade	32 - 54% SF 54 - 67% Cottage Home
Minimum heated floor area	1,600 SF

*Any dimensions, drawings, and notes on site plan dated January 2, 2025 and attached with this Application or outlined in this Narrative shall dictate the standards of this development.

Cottage Homes

The intent of the Cottage Home product is to create a dynamic housing type that does not

otherwise exist within the county. This housing type allows flexibility in lot configuration, direct access to highly sought after community gathering areas, and a square footage and attainable price point that otherwise cannot be achieved with traditional product types and zoning classifications.

- Cottage Home lots will be 41' wide by 100' deep
- Homes will be platted as individual lots with access/frontage on 20' wide private driveways/alleys.
- Alleyways/private driveways shall have access to public roads.
- Rear of Cottage Homes will face communal courtyards with 3 to 13 homes clustered around an individual courtyard.
- Each rear yard will have access to communal courtyards via a 5' path or sidewalk
- Garages and parking shall be permitted to be located in the fronts of the homes.

Architectural Materials & Site Improvements

At a minimum, the homes would follow a design theme that would include:

- Two-car garages (width not to exceed 67% of front building width - Variance Requested in this Narrative)
- Front facades with a combination of masonry and hardi-plank materials
- Side & Rear facades with hardi-plank or shake siding
- Sodded yards (4 sides)
- One street tree per home (minimum 2 ½" caliper)
- Cottage Homes shall be permitted to have front loaded garages

Entrance Monumentation

The entrance may be gated and if so, the private streets will be maintained by the Homeowner's Association (HOA). All necessary requirements to allow access for public safety and other services will be provided. At least one central mail kiosk will be provided subject to USPS review and approval. The entrance may include the following structural items:

- Masonry walls
- Wood or PVC fencing
- Gate House
- Operable or Faux Gates
- Illuminated Signage in accordance with the Hall County Sign Ordinance
- Ornamental Sculpture
- Landscaping & Irrigation

Amenities

The community amenities, at a minimum, will contain the following items:

- Walking Trails
- Pocket Parks

- Pool and Cabana
- Fire Pit
- Communal Courtyards

Other amenities, at the sole discretion of the Developer, may include the following items:

- Playground
- Passive Pocket Parks
- Pickleball courts

Signage

The Developer and/or Builder shall be allowed to post permanent directional signs and monuments within the Community to direct traffic to sales and recreation centers and to identify differing residential areas. All permanent internal signage must be outside of any Right of Way or Utility Easement with a Landscape and Signage easement recorded on the Final Plat.

Temporary Sales and Marketing signs not exceeding 32 square feet per sign face and 8 feet in height may be used along Antioch Campground Road.

Model Home Permits

Applicant requests that up to ten (10) model home permits be issued prior to Final Plat recording provided that hard surface (crusher run) access is provided and fire protection (functioning hydrant) is located within 500 feet of any structure under construction. However, no certificate of occupancy permits (CO) will be issued prior to final plat recording. Model Homes may be utilized as temporary offices.

Sales and Construction Trailers

Applicant is requesting permission to install one sales trailer and one construction trailer with associated parking areas in locations to be determined at the time of street paving and possible ahead of final plat approval.

Homeowner's Association

A Homeowner's Association will be created in order to administer the covenants, conditions and restrictions that will be placed on the property by the Applicant. The HOA will manage the overall management of the property including maintenance, architectural controls and financial management.

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, and not require any additional action by the Board of Commissioners or Planning Commission, 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.

Proposed Exceptions from RX Requirements & Associated Hall County Development & Architectural Standards:

- o Reduce lot size to 4,000 sf for the single-family cottage home product.
- o Reduce lot frontage to 41 feet for the single-family cottage home lots.
- o Reduce front yard setback to 15 feet from property line for the single-family cottage home product.

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 PRD 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 Hall County Development 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 Hall County Development 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 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 Hall County Board of Commissioners 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 Hall County Board of Commissioners 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 PRD 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 Hall County Board of Commissioners 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 hereinabove.

I. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this PRD master plan application be granted as requested by the Applicant. If there are any questions about this request, you may contact:

Neville Allison
The Revive Land Group, LLC
3500 Lenox Road, STE 625
Atlanta, GA 30326

