Project Narrative for
Ridge Road Rezoning – 20.85 +/- Acres

September 11, 2026

LOCATION – Ridge Road, Buford, Georgia 30519 (Tax Parcel 08154 000016)

APPLICANT – bSide Oakwood, LLC

CURRENT ZONING – AR-1

PROPOSED ZONING – R-X

ACRES – 20.85 +/- Acres

SUMMARY

The accompanying application requests rezoning of approximately 20.85 acres of undeveloped property located on Ridge Road in Buford, Hall County, Georgia, from Agricultural Residential-1 (AR-1) to Residential Mixed (R-X). The proposed community will contain approximately 128 rental townhome units, representing 80% of the dwelling units, and approximately 32 rental duplex units, representing 20% of the dwelling units. The townhomes are proposed as both 22'x50' rear entry and 24'x50' front entry residential product with only the rear entry facades facing the public road where the property abuts Ridge Road. The community will also include approximately 8.05 acres, or 38.6% of the site, as proposed open space. Based on the final confirmed dwelling-unit count, the proposed density is approximately 7.67 dwelling units per acre.

The proposed development advances Hall County's planning objectives through an appropriately located residential community served by public water and sewer. The plan preserves the central Ivy Creek corridor, incorporates transportation improvements identified through the traffic-review process, and provides appropriate buffers and fences for adjoining properties.

Private streets, common areas, amenities, landscaping, fencing, and stormwater facilities serving the development will be maintained by the property owner or an associated management entity.

Consistency with the Comprehensive Plan and Surrounding Area

The property is located within the Business Nodes and Corridors designation and the Gateway Corridor Overlay District under the Hall County 2045 Comprehensive Plan Update. A commercially operated residential development at this location supports the planned character and continued evolution of the corridor by locating housing near existing commercial services, institutional uses, and transportation infrastructure. Residential Mixed (R-X) is an appropriate zoning classification for the proposed mix of attached residential housing and allows the development to serve as a transition between the more intensive commercial and institutional properties to the north and east and the lower-density residential properties to the west.

Although the Business Nodes and Corridors designation generally recommend commercial and higher-intensity uses, the physical conditions of this property differ from a typical business-node site. Commercial access from Friendship Road is unfeasible due to the intervening property, large box culvert, steep grade, and required curb-cut spacing requirements. In fact, the property

has no direct access to Friendship Road. Access will instead be provided from Ridge Road, which primarily serves residential neighborhoods.

A mixed-use development has already been approved across the street (parcel 08154 000017) and will serve as a primary commercial and mixed-use node for this area. The proposed residential community will support that node by placing residents near its planned commercial and institutional services without creating duplicative commercial space in a less visible location.

The proposed mix of attached residential housing meets the intent of the Hall County 2045 Comprehensive Plan Update by maintaining an appropriate residential character along Ridge Road while providing a transition between the more intensive commercial and institutional uses to the north and east and the lower-density residential neighborhoods to the west.

While the applicant evaluated the potential of Mixed-Use (M-U) zoning in coordination with County staff, the property's limited commercial visibility, lack of direct Friendship Road access, topography, drainage conditions, and location behind the new BP station and across the street from the approved mixed-use development make the required nonresidential component impractical. The requested R-X zoning provides a more appropriate use of the property while supporting the County's housing objectives and the existing Ridge Road and Friendship Road mixed-use node.

The proposed density is also important to the project's ability to provide attainable affordable housing for Hall County residents. Per the Hall County 2045 Comprehensive Plan Update, the optimal site plan for affordable and attainable homes is to maximize the shared greenspace on a parcel. This plan follows the "Best" practices recommendation by proposing large greenspaces and density of approximately 7.67 units per acre which supports the County's housing-attainability goals while remaining below the eight-unit-per-acre maximum established for R-X development.



Comprehensive Plan p. 137

Surrounding zoning and land uses are varied. AR-1 property lies generally to the northwest (Friendship Elementary School) and south (Saint Mary & Saint Martha Episcopal Church), PCD properties lies to the northeast (BP Station) and east across Ridge Road (mixed use), and R-1 property lies to the west. The Site Plan responds to the conditions along each property boundary through site-specific combinations of setbacks, buffers, preserved vegetation, fencing, grade separation, and other screening measures, as more particularly described in Exhibit 1 and shown on Exhibit 2. On every property line, our proposed Site Plan is compliant with the Buffer standards of UDC §8.2.4 and thus no variances are requested herein, but Exhibit 2 has been

prepared for greater Staff and Board understanding of how each portion of our site is code compliant.

SITE DESCRIPTION

The 20.85-acre undeveloped site contains an irregular boundary, varying topography, Ivy Creek and associated stream buffers, and stormwater constraints that materially influence the placement of buildings, roads, utilities, open space, and the principal entrance. The Site Plan preserves the central stream corridor, maintains the full 50-foot undisturbed stream buffer while utilizing the setback-reduction provision of UDC §10.4.7.B.2 & §10.4.7.C for portions of the additional impervious setback as shown in Exhibit 3.

The Site Plan identifies approximately 8.05 acres, or 38.6% of the site, as proposed open space.

Water will be provided by the City of Gainesville, and sewer will be provided by Hall County. Will-serve and capacity confirmation letters from each provider are included in this application. Internal streets, private alleys, and driveways will be designed and constructed in accordance with the applicable Hall County standards, with minimum 20' driveway lengths from the streets (and sidewalks where applicable) to the face of the garage. Access will be provided from Ridge Road as shown within the 55' Access & Utility Easements as noted on the Site Plan with widened 27' roads designed to the standards required by the Hall County Fire Marshall.

Stormwater management for the development will include on-site facilities and the use and expansion of the existing detention facility located on the adjoining church property. The Applicant has secured the necessary drainage and access rights for the off-site facility. The applicable drainage and access easement documentation is not required for approval of this rezoning application, but it has already been recorded and will be included with the Land Development Permit submittal, as required for final engineering review.

PROJECT DIMENSIONAL STANDARDS

Parcel Size	20.85 +/- acres
Proposed Number of Units	128 Townhomes / 32 Duplexes Units
Proposed Density	7.67 U/A
Proposed Open Space	38.6% (8.05 acres)
Streets	Private
Water and Sewer Provider	City of Gainesville Water and Hall County Sewer
Amenities	Mail Kiosk, Courtyards, and Dog Park
Storm Water Management Areas	One on-site, plus access to the expanded Church facility

Building Setbacks	50-foot minimum front, side, and rear yards, except for any boundary-specific setbacks approved through the Site Plan, Exhibit 2, and conditions of zoning
Perimeter Buffers and Screening	As shown on the Site Plan and shown in Exhibit 1 and 2
Maximum Building Height	35ft maximum
Sidewalks	5ft
Stream Protections	25-foot state stream buffer, 50-foot undisturbed county stream buffer, and impervious setback proposed is cumulatively greater than the 75' requirement, as shown on the Site Plan
Mail Kiosk (CBU)	1 CBU with 3 parking spaces
Resident Parking Spaces	Two exterior spaces per dwelling
Guest Parking Spaces	60 On-Street parking spaces
Comprehensive Plan Designation	Business Nodes and Corridor
Overlay	Gateway Corridor Overlay

ARCHITECTURAL MATERIALS & SITE IMPROVEMENTS

All facades of all residences shall be finished with masonry (brick or stone), wood, stucco or fiber cement/Hardi-plank type siding. In this application, we have attached renderings that are conceptual in nature and subject to modifications. The builder intends to build:

- Single Family attached townhomes and two-unit dwellings. The units will be either rear entry or front entry dwellings with two-car garages. Only rear entry will be used along Ridge Road
- Front facades with a combination of masonry, stucco and fiber cement siding materials
- Side and rear facades with a combination of masonry, stucco, fiber cement siding, or shake siding
- All buildings contain no more than six units. In accordance with Section §7.3.1, Townhouse Use Standards, all buildings containing more than three attached units will be designed so that the facades and roofs are staggered or offset by at least three feet for every grouping of two units.

BUFFERS

The 2026 adopted UDC requires a 50-foot perimeter buffer. Due to the site's significant stream corridor, associated environmental buffers, irregular geometry, varying topography, stormwater requirements, and access constraints, the Site Plan proposes site-specific perimeter treatments rather than one uniform treatment around the entire property.

Full-width separation, stream and impervious buffers, or substantially enlarged building setbacks are maintained along several portions of the property. Reduced widths are proposed where solid

privacy fencing, existing grade separation, preserved vegetation, stormwater facilities, environmental corridors, enlarged building setbacks, or the nature of the adjoining use provide effective separation and screening. The proposed treatments therefore evaluate each boundary according to the actual adjoining use and physical conditions while continuing to meet the buffer standard's purpose of separation, privacy, screening, and compatibility.

The requested widths, fences, setbacks, supporting conditions, and boundary-specific justifications are shown on the Site Plan and described in detail in Exhibit 1, Perimeter Buffer Modification Request, which is incorporated into this narrative. Exhibit 2 shall control the approved treatment for each boundary segment. The Applicant will implement and maintain the approved fencing, landscaping, vegetation, and other screening measures through the final site and landscape plans.

INTERNAL SIGNAGE

The development will include permanent directional signs and monuments within the Community to direct traffic to any recreation centers and groupings of addresses.

TRAFFIC IMPACT STUDY

The Traffic Impact Study recommends a minor-street stop-controlled driveway, a northbound left-turn lane, and a southbound right-turn lane on Ridge Road. Final access design and roadway improvements will be coordinated with Hall County and GDOT, as applicable.

The proposed residential use will generate residential rather than high-intensity commercial traffic. The project will be served by existing and planned water, sewer, and transportation infrastructure, as supported by the utility availability and capacity documentation included with the application.

SITE PLAN

The Site Plan attached illustrates the proposed layout and overall development concept for the community. As the project proceeds through engineering and land development review, the Developer may refine the locations and arrangement of buildings, roads, parking, amenities, stormwater facilities, open space, and other improvements to address final engineering, utility, grading, environmental, and regulatory requirements. Such refinements are intended to preserve the general character of the community and remain consistent with the approved zoning, Site Plan, and conditions of approval.

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-X 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 R-X 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.

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 approval of the rezoning of the Property from Agricultural Residential-1 (AR-1) to Residential Mixed (R-X), in accordance with the Site Plan, the perimeter treatments described in Exhibit 1 and 2, the proposed development standards contained in this narrative, and the conditions approved by the Hall County Board of Commissioners.

Applicant

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Exhibit 1

Note each letter referenced in Black & Yellow corresponds with the Property Boundary as labeled on Exhibit 2 attached.

The Request

Under UDC § 8.2.3, a 50-foot perimeter buffer is required along the full boundary of the property. We are requesting approval from the Hall County Director along five limited segments of the perimeter, pursuant to UDC § 8.2.4.G.1.

Two of the eight segments **(D & G)** which have stream intersecting them will have a buffer greater than 50 feet from one end of the 75' wide stream buffer to the other 75' wide stream buffer across the creek, and no fence is proposed within those stream buffers. For one additional segment **(A)**, we are proposing building setbacks of 50' or greater with no fence required. At the locations of five of the eight segments **(B,C,E,F & H)** propose a solid 6-foot wooden privacy fence in place of part of the buffer, consistent with the structural buffer substitution already recognized at UDC § 8.2.4.B.4.

Why a Hardship Exists on This Site

This property contains a significant stream corridor and associated environmental buffers running through the center of the site as Ivy Creek begins on our land and requires all the same stream buffers as elsewhere despite the fact that there is little to no water flow that occurs on our portion of the creek.

Expanded Ivy Creek stream buffer and stormwater management requirements and access spacing requirements from the Sinndar gas station. Together, these constraints remove a substantial portion of the buildable area before streets or homes are even considered. The irregular shape of the parcel, its varying topography, and our efforts to limit stream crossings further limit how streets, utilities, open space, and buildings can be arranged.

Applying the full 50-foot buffer along the entire perimeter, on top of these existing constraints, would leave us with only 13 developable acres from the 20.85 acres that we purchased from the neighboring church, reduced substantially relative to a typically-configured parcel of similar size. This is a reduction of land value not generally shared by other neighbors in South Hall County.

The requested modifications are narrowly tailored. We are not requesting a reduction around the entire perimeter — only along the specified segments below, each of which we believe continues to meet the underlying purpose of the buffer even at varying reduced widths.

Why Certain Buffers are Not Necessary as The Intent of the Buffer Standard Continues to Be Met

- **(A) Ridge Road Frontage**— 50-foot building setback, landscaping in buffer, no reduction requested

  (B) Southern Boundary, Church Property Parking Lot— requesting 10 feet (40-foot reduction from the 50-foot standard); solid 6-foot wooden fence along the church-adjacent

portion. The church-adjacent portion relies on the structural substitution recognized at UDC §8.2.4.B.4. This would allow the entrance of the community to align with potential proposed entrance of the mixed-use development across Ridge Road. Additionally, this segment abuts the church's parking lot and does not impact the church.

- **(C) Southern Boundary, Church Property Stormwater Facility—** requesting 10 feet (40-foot reduction from the 50-foot standard) on these segments, adding a solid 6-foot wooden fence along the stormwater-adjacent portion. The stormwater-adjacent portion of this segment qualifies under UDC §8.2.4.B.4. A portion of the adjoining church property is already occupied by a to-be-shared stormwater facility, which provides additional separation beyond the buffer itself.

- **(D) Western Boundary, Parcels 08155A000095 and 08155A000096—** No buffer reduction, no fence.

  A 300-foot building setback maintained from the Church-Adjacent segment north to a parallel point no less than 300 ft. instead, and a 300-foot building setback maintained from these two parcels east to a parallel point no less than 300 ft. instead. See Exhibit 2 where this expansive natural undisturbed buffer will remain.

- **(E) Western Boundary, Parcel 08154000018**— 40 foot buffer (10-foot reduction from the 50-foot standard), with a solid 6-foot wooden privacy fence, **within a 50-foot building setback.**

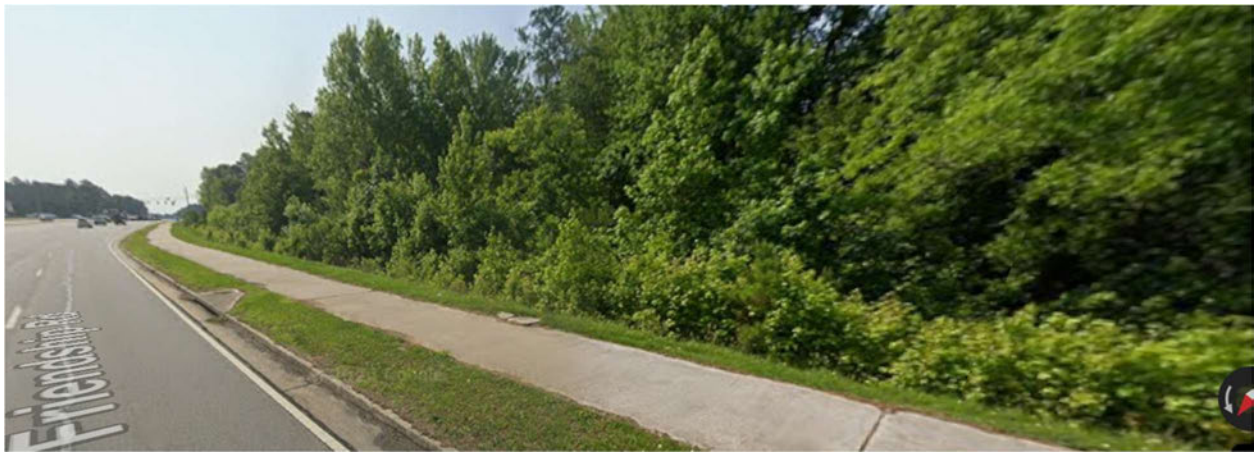
  This segment also relies on the structural substitution recognized at UDC §8.2.4.B.4. Given the modest size of the requested reduction, the fact that our property sits well below this neighboring parcel, plus the expanded 300' setback offered above at location **(D)**, we believe the modification request for this portion of the property is reasonable.

- **(F) Hall County Board of Education, Parcel 08154000010**— requesting 10 feet (40-foot reduction from the 50-foot standard), with a solid 6-foot wooden privacy fence, within a 20-foot building setback.

  The northern portion of the property adjoins Hall County Board of Education property rather than existing residential lots. Conflicting uses are not anticipated. According to the Hall County Tax Assessor's website, the Hall County Board of Education has recently completed further stormwater management improvements in 2025 on this 4-acre parcel of land in between our parcel and Friendship Elementary. The remaining portion of the boundary is a septic drain field and a reserve septic drain field. Therefore, the intent of the code having an appropriately screened buffer is met.

- **(G) Northeastern Boundary**— 50-foot standard buffer from one end of the 75' wide stream buffer to the other 75' wide stream buffer across the creek, and no fence is proposed within those impervious stream buffers.

  This segment is taken up by the stream that pushes the nearest proposed unit back further than 50 feet. Below is a street view of this side of our property from Friendship Rd. **No Buildings would be placed within 150' of this sidewalk shown in the foreground.**



- **(H) Commercial/Sinndar Boundary—** requesting 10 feet (40-foot reduction from the 50-foot standard), with a solid 8-foot shared privacy fence required to be installed by Sinndar.

  This segment qualifies for structural substitution under UDC § 8.2.4.B.4. The site's constraints, described above, leave limited area available along this boundary. As supporting facts, we note that Sinndar Enterprises is separately obligated to install an 8-foot fence along this shared boundary under Condition #6 of their PCD zoning approval. We'd further note that Parcel 0815400000A is a part of the Sinndar PCD that was purchased to allow him an entrance/curb-cut to the gas station, but there is no approved plan nor room between that entrance and the Ivy Creek stream buffer for any further development. We offer this as evidence that the buffer's intent of separation and screening continues to be met, not as an independent basis for the reduction.

  The property sits well below Friendship Road, limiting visibility from that corridor regardless of buffer width. Where our development is visible from Ridge Road, preserved open space, enhanced landscaping, and building design are intended to provide the visual softening the buffer standard is meant to achieve. Combined with the topography, existing vegetation, and adjacent land uses described above, we believe the requested modifications allow the development to meet the purpose of UDC § 8.2 even where the physical buffer width is reduced.