

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
JULY 8, 2025**

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

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

Members Absent: Board Member Rick Young

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

Others Present: Council Member Barbara Brooks

MINUTES OF MAY 13, 2025

There was a motion to approve the minutes as presented.

Motion made by Vice Chair Thompson
Motion seconded by Board Member Martin
Vote – 6 favor, 1 absent (Young)

OLD BUSINESS

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

Motion made by Board Member Fleming
Motion seconded by Vice Chair Thompson
Vote – 6 favor, 1 absent (Young)

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: Director Rusty Ligon gave the following staff presentation:

Director Ligon advised Hall County has challenged the annexation and would be best to table the item until the conclusion of the State mandated arbitration process.

There was a motion to table the annexation request to a meeting following the conclusion of the State mandated arbitration. Notice of such meeting will be posted on the subject property, advertised in the newspaper and provided to neighboring property owners prior to the meeting.

Motion made by Board Member DeFoor
Motion seconded by Board Member Simmons
Vote – 6 favor, 1 absent (Young)

NEW BUSINESS

A. Rezoning Request

- 1) Request from **Tres Hermanos Groceries, LLC** to rezone a 0.57± acre tract located on the east side of Chestnut Street, between High Street and Martin Luther King Jr. Boulevard (a/k/a **819 and 829 Chestnut Street, SE**) from Residential-II (R-II) and Heavy Industrial (H-I) to Residential-II (R-II).
Ward Number: Three
Tax Parcel Number(s): 01-033-002-005 and 006
Request: Residential townhomes

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

The applicant is proposing to rezone the subject properties to construct seven (7), detached townhome-style apartments that will be for rent. The adjacent uses include a mixture of single-family homes, duplex homes, mini-storage, church, retail strip center and the adjacent Tres Hermanos Grocery store and bakery owned by the applicant's family.

The subject property consists of two parcels totaling 0.57± acre in size. The first parcel is zoned R-II and is undeveloped. The second parcel is zoned H-I and contains an older rental home that will be demolished. The intent is to combine the parcels and construct a private access road off Chestnut Street that will serve the residential units. Each unit will be 2 stories in height with 1,302 square feet of heated floor space and 3 bedrooms and 2 ½ baths. A driveway large enough for two parking spaces beside each unit will be provided as well as a total of two guest parking spaces on the property.

The exterior of the building is of contemporary design and will consist of a mixture of hardy board with stone accents. According to the applicant, the development will conform to the requirements of the Midtown Overlay Zone, and all building finishes, surface materials, color treatments and exterior details shall be subject to review and approval of the City of Gainesville planning staff.

The Comprehensive Plan places the subject property within the *Downtown Mixed-Use* Future Land Use category and the *Central Core* Character Area which includes areas containing predominantly retail uses, mixed-uses and other higher density residential uses featuring a mix of traditional and contemporary architectural styles.

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

Applicant Presentation: Rick Freeland, 3522 Old Duckett Mill Road, spoke on behalf of the applicant for the rezoning request. Mr. Freeland advised the plan for the townhomes would be stone and brick, stainless metal black roof and install a bioretention swale on the side. He advised the driveway would be made of pavers and was in agreement with the conditions.

FAVOR: None

OPPOSE: None

Board Comments: There were questions from the board regarding the number of occupants/families per unit, number of parking spaces for residents and guests, along with the storage for garbage containers. Also mentioned was garbage pickup by solid waste being treated the same as residential with containers being placed in front and then rolled back possibly behind a screened area. Another concern was the maintenance of the units and property since no HOA was planned; storage of lawn equipment and difficulty maintaining and mowing the pavers on the driveway. There was a suggestion of having an additional condition be added regarding a maintenance contract and possibly table the request until the applicant could address the issues mentioned.

REBUTTAL: Mr. Freeland advised the units are planned for one family per unit and no parking on the street along with two vehicles spaces along with two guest spaces. The plan was to have each family mow their own lawn and upkeep.

There was a motion to table the rezoning request to the August 12, 2025, Planning and Appeals Board meeting.

Motion made by Board Member Fleming
Motion seconded by Board Member Simmons
Vote – 6 favor, 1 absent (Young)

ADJOURNMENT

There was a motion to adjourn the meeting at 5:51 p.m.

Motion made by Board Member Martin
Motion seconded by Board Member DeFoor
Vote – 6 favor, 1 absent (Young)

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary