

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – SEPTEMBER 15, 2022
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
IMMEDIATELY FOLLOWING THE 4:00 PM WORK SESSION**

ROLL CALL: Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Emory Dooley, District 4; County Manager David Headley; County Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County.

INVOCATION AND PLEDGE OF ALLEGIANCE: Chairman Thurmond

ANNOUNCEMENTS:

Chairman Thurmond announced that the next Board of Commissioners (BOC) meeting would be held on October 6, 2022.

APPROVAL OF MINUTES:

Motion passed 3-1 to approve the Minutes of the Work Session held on September 1, 2022. Fausett/Gaines- Commissioner Dooley abstained

Motion passed 3-1 to approve the Minutes of the Voting Session held on September 1, 2022. Satterfield/Gaines- Commissioner Dooley abstained

APPROVAL OF AGENDA:

Motion passed 4-0 to approve the agenda with the following change:

- Addition of Nos. 7-9 under New Business:
 - Request for Assistant District Attorney Supplement
 - Continuation Application for Victims of Crime Act Grant for FY 2023
 - FY 2023 Intergovernmental Agreement between Dawson County and the Board of Education Concerning School Resource Officers

Fausett/Dooley

PUBLIC COMMENT:

None

ZONINGS:

Chairman Thurmond announced that if anyone contributed more than \$250 to the commissioners or chairman in the past two years and wished to speak they would have to fill out a disclosure form, which would be made available to them. Under normal program, 10 minutes is given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 22-15 - Jim King requests to rezone TMP 097-017 from RSR (Residential Sub-Rural) to RPC (Residential Planned Community) for purposes of developing a 332-lot subdivision with amenities area (Grizzle Road).

Planning & Development Director Sharon Farrell said the applicant requested to withdraw the application.

Motion passed 4-0 to accept a withdrawal request for ZA 22-15. Satterfield/Dooley

ZA 22-19 - Jim King requests to rezone TMP 107-053 and 107-272 from RA (Residential Agriculture) to RMF (Residential Multi-Family) for purposes of developing 152 multi-family dwellings (Lee Castleberry Road).

VR 22-14 - Jim King requests to vary from the Dawson County Land Use Resolution Article III Section 308.C.6.B - vary from the width of driveways in RMF.

Planning & Development Director Sharon Farrell said the Planning Commission recommended approval of the application with “one change to our [staff-recommended] stipulations, and it certainly was a legitimate change and that was just in the number of lots with a certain width...” Farrell read aloud the proposed stipulations.

Jim King, representing the applicant, Billy Stark, said the proposed development is “a mixture of townhomes and single-family detached dwellings. If you recall last year, this board rezoned 8 acres at the corner of Lee Castleberry Road and Stacie Lane to Multi-Family for the development of 48 townhomes. Since then, my client was able to assemble another 25 acres that is adjacent to that piece, and we’d like to expand his development with the additional 152 townhomes for a total of 200 townhomes for the total piece of property. As was the original 8 acres on the Future Land Use plan designated as Multi-Family, the additional 25 acres is designated as Commercial Highway Business, which includes Multi-Family uses.”

Applicant Billy Stark said, “As Jim mentioned, yes, we are adding on to a product that was approved last October. The total project will be 160 townhomes and 40 single-family lots.” Stark added, “We think this is a great place for this...from the far-south border of the county, we’re right next to 400. So, from a traffic standpoint, a lot of our residents will be going south on 400 and not impacting traffic in the rest of the county, and then they can take Lumpkin Campground Road up north to go shop and eat at the outlets and wherever.” Stark said, if the rezoning is approved, “we’re offering to widen and repave Lee Castleberry Road from 400 all the way to the new roundabout at Lumpkin Campground Road. That was a voluntary item we’re paying for at our cost.” He estimated the total public improvements to cost between \$1 million and \$1.3 million.

Attorney Simon Bloom said he represented Stark Development Land Group. He said, “This is the right way to land plan a development. ... This is one of those projects that makes complete land-use sense, which is why you have Planning staff recommending approval with minimal conditions. You have the Planning Commission recommending approval with minimal conditions and, in fact, the Future Land Use map calls for this type of development here...” Bloom added, “The value as it’s currently zoned is not good. It cries for a conditional rezoning, Planning staff approval, Planning Commission approval, Future Land Use map approval. All of those things drive toward an answer of ‘yes’ to approve this rezoning application.” He said, “Not very often do I see a million-three. I hope you wrote that number down: a million-three of voluntary infrastructure improvements being made by the developer. That doesn’t happen very often. Agreeing to all the conditions, yeah, that happens often, but the million-three and, in addition to that, the impact fees that are required scream that this is a responsible developer that you’ll be proud of. You won’t hear neighborhood complaints or neighbor complaints about this particular project. ... This is a smart land use plan with a smart location within the county, and then the project itself is one I think you’ll be proud of.”

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application.

The following spoke in favor of the application:

- Robert Edwards, Dawsonville, Georgia

None spoke in opposition of the application.

Chairman Thurmond asked if there was anyone else present who wished to speak on the application and, hearing none, closed the hearing.

Motion passed 3-1 to table ZA 22-19 and VR 22-14 until October 6, 2022. Gaines/Dooley-Commissioner Satterfield opposed the motion

ZA 22-20 - Miles, Hansford & Tallant LLC on behalf of Dawson Yards LLC requests to rezone TMP 113-017, 113-018 and 113-096 from RSRMM (Residential Sub-Rural Manufactured Moved) and CHB (Commercial Highway Business) to CIR (Commercial Industrial Restricted) for purposes of developing office/warehouse space (Highway 53 East).

Planning & Development Director Sharon Farrell said, “This property has a combination of residential mobile home and commercial highway business. The applicant proposes to come in with much needed office and warehouse use with access to Highway 53. She said the Planning Commission recommended approval of the application with stipulations.

Attorney Jonathan Beard of Miles Hansford & Tallant in Cumming, Georgia, representing the applicant, said, “The subject property consists of three tax parcels - the complete portion of tax parcel 113-017 and 096, but it does consist of a portion of parcel ending in 018. This is located at Dawsonville Gun & Pawn; it abuts that to the west and to the north...” Beard said plans call for some buildings on the property to be removed and some to be remodeled, “but, in the end, we feel like this is going to be an improvement for the property, particularly located on Highway 53, where there’s a lot of traffic.” Beard noted the proposal includes approximately 45,000 square feet of new construction.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application and, hearing none, closed the hearing.

Motion passed 4-0 to approve ZA 22-20 with the following stipulations:

1. Land Use

The property shall be developed as office warehouse units for non-retail uses; and those uses allowed in the Commercial Highway Business zoning district as established by the Land Use Resolution.

Prohibited uses:

- (a) Fuel tank lease and sales establishments.
- (b) Vehicle sales and dealerships.

- (c) Tire dealers.
- (d) General rental centers.
- (e) The keeping of any goods, material or merchandise outside of a business, building or establishment or in an area visible from a public right-of-way, for display or advertisement.

2. Site Elements

- (a) All activities, mechanical equipment, outdoor storage, and refuse areas for parcels with frontage along Highway 53, and those parcels with visibility to Highway to 53, shall be within an enclosed building or screened by a solid wall at least 6 feet in height.
- (b) Retaining walls shall be faced with stone and brick when visible from the right-of-way.
- (c) The side setback when abutting a residential district shall be 35 feet.

3. Landscape

- (a) A minimum 20-foot-wide landscape strip shall be installed along existing or proposed rights of way along Highway 53. Landscape strips shall be located behind utility easements so plant material will not be disturbed after installment.
- (b) Due to the adjacency to overhead utility lines, the tree replacement/landscape plan for the Highway 53 plantings shall incorporate understory trees; and which shall have a minimum 2-inch caliper and at least 8-foot height at time of installation.
- (c) A minimum of 40 percent of all trees and shrubs shall be evergreen plant material. The percentage shall be based on the total number of installed trees and shrubs.
- (d) Tree preservation and/or replacement plans shall be prepared by a registered landscape architect, urban forester or arborist, in accordance with “Buffers, Landscaping and Trees” of the Dawson County Code.
- (e) All proposed shrubs shall be a minimum of 2 feet high at the time of planting.
- (f) Landscaping may be informal with multiple species arrayed in naturalistic clusters.

4. Architectural Design.

- (a) All sides of a building visible from Highway 53 shall have an architectural finish of brick and stone. The front facades shall be a minimum of 75 percent brick and stone, and the side facades shall be at least 50 percent brick and stone. Rear facades do not have a minimum requirement for primary materials.
- (b) Exterior building materials on any structure shall not include smooth-faced concrete block, tilt-up concrete panels, or prefabricated steel panels.

5. Lighting.

- (a) A freestanding pole-mounted light utilizing LED fixtures shall not exceed 30 feet in height and shall have a black metal finish.
- (b) The use of LED garland or string lights to outline windows, buildings, signs and similar features is prohibited.

(c) Building-mounted lighting shall highlight architectural features and not illuminate the entire building façade.

Gaines/Fausett

NEW BUSINESS:

Consideration of Request to Use County Facility Parking Lots During Mountain Moonshine Festival and Use of Transfer Station Following Festival

Motion passed 4-0 to approve a Request to Use County Facility Parking Lots During the Mountain Moonshine Festival and Use of Transfer Station Following the Festival. Fausett/Dooley

Consideration of Shop with a Cop Fundraiser

Motion passed 4-0 to approve a Shop with a Cop Fundraiser. Satterfield/Dooley

Consideration of RFP #406-22 - Debris Removal and Disposal Services Results

Motion passed 4-0 to approve RFP #406-22 - Debris Removal and Disposal Services Results; to accept the proposals submitted and award a contract to DRC Emergency Services. Gaines/Satterfield

Consideration of 2023 Payroll and Holiday Calendar

Motion passed 4-0 to approve a 2023 Payroll and Holiday Calendar; the holiday calendar includes the county's observance of two additional holidays: Good Friday and Juneteenth. Fausett/Satterfield

Consideration of 2023 Board of Commissioners Meeting Schedule

Motion passed 4-0 to approve a 2023 Board of Commissioners Meeting Schedule. Fausett/Gaines

Consideration of Annexation C2200122

Motion passed 4-0 to authorize the BOC chairman to send a letter to the City of Dawsonville communicating Dawson County's request for the city to deny the annexation petition application concerning Annexation C2200122. Satterfield/Dooley

Consideration of Request for Assistant District Attorney Supplement

Motion passed 4-0 to table a Request for an Assistant District Attorney Supplement for Robert Gardner until October 6, 2022. Gaines/Fausett

Consideration of Continuation Application for Victims of Crime Act Grant for FY 2023

Motion passed 4-0 to approve a Continuation Application for a Victims of Crime Act Grant for FY 2023. Fausett/Dooley

Consideration of FY 2023 Intergovernmental Agreement between Dawson County and the Board of Education Concerning School Resource Officers

Motion passed 3-1 to approve a FY 2023 Intergovernmental Agreement between Dawson County and the Board of Education Concerning School Resource Officers. Gaines/Dooley- Commissioner Satterfield opposed the motion

PUBLIC COMMENT:

None

ADJOURNMENT:

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk