

**DAWSON COUNTY PLANNING COMMISSION
MEETING HELD – NOVEMBER 19, 2019
DAWSON COUNTY GOVERNMENT CENTER – ASSEMBLY ROOM 2303
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534**

The Dawson County Planning Commission meeting was called to order at 6:00 p.m. by Chairman Jason Hamby.

Emory Dooley gave the invocation.

The Pledge of Allegiance was led by Chairman Hamby.

Members present: Chairman Jason Hamby; Emory Dooley, Chairman Appointee; John Maloney, District 2; Tim Bennett, District 3; Neil Hornsey, District 4.

Staff present: Jameson Kinley, Planning Director & Harmony Gee, Zoning Administrator

The next Planning Commission meeting will be held on December 17th, 2019.

Chairman Hamby asked for a motion to approve the minutes from the September 17th, 2019 meeting. Motion passed by a vote of 4-0 to approve the minutes as prepared 1 abstention (Dooley-was not in attendance). Hornsey/Maloney

Chairman Hamby asked for a motion to approve the agenda as prepared. Motion passed by a vote of 5-0. Dooley/Hornsey

Chairman Hamby made an announcement of the required statement of disclosure of campaign contributions of \$250 or more in order to speak in favor or opposition to any application.

Old Business:

ZA 19-16 – Ridgeline Land Planning, LLC is requesting a rezoning of property located at TMP 113-011 & 113-092 from: C-HB (Commercial Highway Business) to C-HB (Commercial Highway Business) & RMF (Residential Multi-Family) for the construction of 140 attached townhome community.

Holt Persinger of Winder, Georgia representing Ridgeline Land Planning spoke to the application. He wishes to have the parcel rezoned to Residential Multi Family for the construction of 140 attached townhomes with a maximum density of 5.93 units per acre while leaving approximately 1.79 acres to Commercial Highway Business and leaving 25% in open space. He also pointed out that RMF was an allowable use within Commercial Highway Business and was reflected as such within our Comprehensive Plan. Mr. Persinger also mentioned that a parcel to the adjacent to this was recently rezoned to RMF and the parcel to the North was rezoned in 2013 to RMF.

Mr. Persinger brought to the Board's attention a set of conditions supplied with the staff report that he is willing to comply with along with additional conditions that he would like to add. He mentioned that the first 8 conditions that were previously attached to the property, he has no issues with conforming to but condition number 9 stated that there was to be interconnectivity and due to the parcel to the North already being platted (with no connectivity), a 30 degree grade change and lastly a Georgia Power Utility easement made it not feasible for connectivity.

Ridgeline Land Planning also wanted to add the following conditions:

1. Minimum heated floor area of 1400 square feet
2. Maximum number of units to be 140
3. An amenities area shall be provided and include a cabana, a pool and a playground.

Chairman Hamby then read over the existing conditions stipulated to the property. Chairman Hamby asked if there was anyone to speak in favor of the application. There was none. He then asked if there was anyone there to speak in opposition of the application. There was none. The Board was then closed for discussion. Chairman Hamby stated that the property was located at the corner of Hwy 53 and Lumpkin Campground Road. John Maloney asked if the request from the Public Works department could be added as a stipulation as well. The entrance to the development would need to be aligned with the business entrance across Lumpkin Campground from it in addition to a traffic study. He also suggested a left turn lane to be added to the stipulations. Emory Dooley made a motion for denial. There was no second. John Maloney made a motion for approval with the stipulations suggested by staff in addition to the stipulations from the Public Works department. Motion passed 3/2 (Maloney/Hornsey)

ZA 19-18 Bentley Corners, LLC is requesting a rezoning of 1.679 acres of property located at Elliott Family Parkway TMP 070-009 from: R-A (Residential Agricultural) to RSR (Residential Sub-Rural). Igor from Bentley Corners, LLC spoke on behalf of the applicant. He stated that when the property was purchased that the zoning ordinance for R-A was interpreted differently and has since been changed by the Board of Commissioners.

Chairman asked if there were any questions of the applicant. There were none. He then asked if there was anyone to speak in favor of the application. There were none. He asked if there was anyone to speak in opposition of the application. There were none. Chairman Hamby then closed the board to discussion. A motion for approval was made by Emory Dooley and seconded by Neil Hornsey. Motion passed 4-0.

New Business:

Application for Rezoning:

ZA 19-19 – Pacific Group, Inc. is requesting a zoning stipulation update of 98 +/- acres of property located at Dawson Forest Road West TMP 106-054, 106-054-001, 106-213, 106-296 & 106-062 from previous zoning approvals of ZA 07-18 & ZA 07-19

Mr. Kevin Siefert represented the applicant and presented a power point going over the development and previous stipulations. Chairman Hamby asked the applicant about the commercial component of the development and the purposed gymnasium and baseball fields. Mr. Siefert explained that the discussions he has had a length with the possible developer of the commercial ball fields are still just discussions even though they are very interested but he explained that he did not want to hinder the development of the residential portion of the development just because the commercial portion could not be worked out at this time. Chairman Hamby explained that the intent of the CPCD zoning was that the developer would bring businesses into the county in addition to residential homes. The Chairman asked Mr. Siefert if he had ever heard of the development at Dobbs Creek and how the gymnasium and ballfields could be considered amenities to the community. Discussion amongst the Board and the applicant about the commercial aspect of the development until the residential

Chairman Hamby asked if there was anyone there to speak in favor of the application. There were none. Chairman Hamby asked if there was anyone there to speak in opposition of the application. Wendy Altman, Andrew Hinton, Tom Camp, Renee Duren, Beth Martin, Carol Evanco, Gordon Rink, Stacey Leonhardt, Bob Joern, and Marcus Smith all of Dawsonville, GA spoke to concerns of traffic, safety, and decrease in property values over the proposal.

The board was then closed for discussion. Chairman Hamby offered Mr. Siefert a rebuttal. Mr. Siefert stated that there were many people who voiced concerns over buffers and density. He stated that the property is already zoned, with no additional buffers, a density that is at 220 units, and no architectural standards. That someone could develop the property as it stands right now.

Neil Hornsey and Tim Bennett spoke to the fact that the property is already zoned with existing conditions that are not as favorable as what was presented by the applicant.

A motion to deny the application. Motion passed 5-0 Hornsey/Dooley

ZA 19-20 – Jeffrey Cahill is requesting a rezoning of 17.15 acres of property located at Auraria Road TMP 116-002 from: R-A (Residential Agricultural) to RRE (Residential Rural Estate).

Chairman Hamby asked the applicant to come forward. Doug Sherrill of Dawsonville, Georgia spoke for the applicant. He states that Mr. Cahill acquired the property and wanted to divide the property into larger lots but due to the topography and a portion of the property being located in Lumpkin County was having difficulty meeting the 5-acre minimum required.

Chairman Hamby asked if there was anyone to speak in favor of the application. There were none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. There were none.

Chairman Hamby closed the board for discussion.

Chairman Hamby stated that the Future Land Use Map called for this property to be used a Residential Planned Community and what the applicant was seeking was a less intensive use.

Motion for approval. Maloney/Hornsey 5-0

ZA 19-21 – Jim King is requesting a rezoning of 78 acres of property located at Georgia Hwy 400 North TMP 113-051, 113-049, 113-050 & 113-098 from: R-A (Residential Agricultural) to RMF (Residential Multi Family).

Mr. Jim King of Dawsonville, Georgia spoke as the applicant and asked to present the two zoning requests that he has simultaneously, at least in his opening remarks, so that he is respectful of the Board's time. He also stated that he had been in contact with the Kilough Church Road task force over the past few weeks in regards to their concerns. Chairman Hamby asked Mr. King if he was a previous commissioner, which he replied that he was. Chairman Hamby then asked Mr. King if each county if mandated by the state to have properties within the county that they designate as Residential Multi Family, which he replied that was true as well. Mr. King went on to present a Power Point presentation with a site plan showing the commercial portion along with an architectural rendering of the semi-attached homes, and the County's Future Land Use Map.

Chairman Hamby asked if there was anyone to speak in favor of the application. There were none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. Mike Liberatore, Matt Pursley, Carroll Turner, & Ed Serace all of Dawsonville, Georgia all spoke in opposition of the development siting traffic, safety, decrease in property values, architectural standards, increase in school

population, density, and buffer concerns. Mr. King was given the chance of rebuttal to which he went over the concerns of the group and made concessions to some of the requests of the Kilough Church Road group.

Chairman Hamby then closed the board for discussion.

Neil Hornsey asked if the applicant would be open to tabling the request. Chairman Hamby stated that Mr. King stated earlier that the developer is under a time restraint and would not be able to do so at this time. John Maloney brought to the Board's attention that Kilough Elementary is not close to capacity and that there is no direct access from the development onto Kilough Church Road, that all traffic is right in/right out from GA 400 and that right-hand turns are safer than left. GDOT would also have final say as to what entrances are placed onto GA 400. Emory Dooley suggested that the application as presented is not what the citizens would want, that the citizens should meet with the applicant to reach a compromise.

Motion to deny as presented was made by Emory Dooley. No second.

Motion to deny passed 4-0 with one abstention (Bennett). Dooley/Maloney

ZA 19-22 – Jim King is requesting a rezoning of 40 acres of property located at Georgia Hwy 400 North TMP 113-051, 113-044-008, 113-043 & 113-043-044 from: R-A (Residential Agricultural) to C-HB (Commercial Highway Business).

Jim King made no further remarks in regards to this particular rezoning request.

Chairman Hamby asked if there was anyone to speak in favor of the request. There were none.

Chairman Hamby asked if there was anyone to speak in opposition of the request. Russ Folsom, Mike Liberatore, and Ed Serace of Dawsonville, GA spoke to traffic and safety concerns of the development.

Chairman Hamby closed the board to discussion. Neil Hornsey stated that if there is to be commercial that Hwy 400 would be the place it would be wanted and that GDOT would have to approve any changes.

Motion to approve the request passed 5-0. Hornsey/Maloney

Public Hearing: None

Updates by Planning and Development:

ZA 19-16 & ZA 19-18 rezoning requests will be heard on Thursday, November 21st.

A moratorium of all rezoning requests has been placed by the Board of Commissioners.

The Land Use Resolution Update will be heard by the Planning Commission at the December 17th meeting.

There being no further business to discuss, the meeting was adjourned at 7:57 p.m.

Jason Hamby, Chairman

Date

Attest: Harmony Gee

Date