



CITY OF DAHLONEGA  
City Council Public Hearing Minutes  
November 15, 2021, 4:00 PM  
Gary McCullough Chambers, Dahlonega City Hall

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PRESENT

Mayor Sam Norton

Councilmember Ron Larson

Councilmember Roman Gaddis

Councilmember Johnny Ariemma

Councilmember Joel Cordle

CALL TO ORDER

Mayor Norton called the meeting to order at 4:06 PM

Mayor Norton turned the meeting over to City Attorney Doug Parks.

NEW BUSINESS:

*Public Hearing:*

1. REZN 21-3 Noah Steinberg

Jameson Kinley - Planning and Zoning Administrator

City Attorney Parks invited Mr. Steinberg to come up and present his request. Mr. Steinberg had a PowerPoint Presentation. Mr. Steinberg requested Amendment to City Ordinance 2020-09.

City Attorney Parks questioned if Mr. Steinberg was moving forward with his zoning request (R-1 to R-2) or if he wished to move forward to present comments to the Ordinance himself.

Mr. Steinberg indicated he wanted to overview the results of the Planning Commission meeting. Mr. Steinberg presented the property at 530 West Circle, detailed its changes, and stated the improvements have been costly. They desired to recoup some of the expense by using the home as a Short-Term Rental and request changes to allow conditional uses of the Short-Term Rental Ordinance. They went before Planning Commission, as recommended to Rezone R-1 to R-2. The Planning Commission did not recommend rezoning.

City Attorney Parks provided an opportunity for the public to speak for or against consideration from R-1 to R-2.

City Attorney Parks offered the floor to Planning and Zoning Administrator Jameson Kinley.

Administrator Kinley indicated the applicant wished to change from R-1 to R-2 to use the property as a Short-Term Rental. Administrator Kinley read the staff recommendations- "Although this property might seem appropriate for this use, this rezoning approval is more about the precedence it might set. Instead of approving the rezoning, it would be short-sighted not to discuss changing the Ordinance to allow short-term rentals in R-1.

An avenue would be to only allow short-term rentals in R-1 with a conditional use approved through the Council. The conditional use would enable the property to remain in

R-1 and reduce redevelopment potential under the more intense rezoning district.

One of the issues with short-term rentals is often enforcement because a rental agency is often in control of the property. Being located on/near the property allows for a much higher level of supervision and should mitigate any potential issues that might happen otherwise. Staff would recommend that any ordinance update require the owner/operator of the short-term rental to reside in the municipality.

Another way to limit the risk of an adverse situation would be to limit the number of short-term units to one per owner-occupied property. This way, future cases would limit multiple rentals on each property.”- and indicated a conditional use seemed appropriate in this case.

Mayor Norton indicated this meeting was about the change from R-1 to R-2, and this was not the time or place to amend the Ordinance.

Administrator Kinley indicated the recommendation from Planning Commission and staff is the denial of REZN 21-3 and concurrently updating the Short-Term Rental Ordinance.

City Attorney Parks asked Mr. Steinberg if he was withdrawing his application for R-1 to R-2 but asking for the Council to consider an amendment to the Zoning Ordinance for further use for Short-Term rentals.

After discussion with Attorney Parks, Mr. Steinberg, and the Council, the applicant withdrew the application without prejudice for R-1 to R-2.

Councilmember Gaddis made a motion to accept and withdraw the application without prejudice for refiling and have Council review the Short-Term Rental Ordinance at a later date. Seconded by Councilmember Larson. Voting Yea: Councilmember Gaddis, Councilmember Larson, Councilmember Ariemma, Councilmember Cordle

## 2. REZN 21-4 Lindsay Ewing, Jameson Kinley - Planning and Zoning Administrator

City Attorney Doug Parks introduced Lindsay Ewing of ECraft developers for Summit Phase III. Ms. Ewing began a PowerPoint Presentation clarifying that the 9 AC area is proposed to have 26 to 27 lots at a lower density than the Summit currently is. ECraft and ProVision are the builders. Their plan is for detached homes in various sizes with an average of 1700 sq ft. ProVision is their partner whose vision includes natural privacy buffers.

City Attorney Parks asked for anyone who wished to speak regarding before or against the project.

Mr. Bill Rath, President of the Summit, began a PowerPoint Presentation for Senator's Ridge. He spoke to the concern of all the phases happening within the last month and for this project requests enhancements to heating living space at a minimum of 1500, request to have a traffic study, 6- 20 feet separation on setbacks, and have all curb cuts approved by the City Engineer. He provided a handout to the Council detailing these items.

City Attorney Parks asked for anyone else wishing to speak regarding before or against the project.

Frank Knot of 285 Summit Drive spoke on behalf of residents and their concern for the three applications for developments around the Summit. Each application individually looks good, but if all were permitted to proceed concurrently, there could be a significant disruption to the life of the current residents. He asked for an overall plan to phase in,

considering the residents would have construction on multiple sides. He also expressed concern at the five times increases in residents using the Morrison Moore intersection.

City Attorney Parks asked for others wishing to speak, as no others approached. Planning and Zoning Administrator Kinley presented the report from the Planning Commission

indicating the Planning Commission did tie with three yeas and three abstentions, and the Chairman voted to move forward with the recommendation. The Planning Commission Stipulations included a density of 3 units per acre, an average of 1700 sq ft, conforming architectural designs, Short-Term Rentals Prohibited, DOT approvals before building permit issuance, setbacks 20' front, 5' side and 30' rear, maximum height 35 and curb cuts limited to the site plan. All roads are to be Private and an Evergreen berm to block the view of the back of the houses.

City Manager Schmid indicated they did hear from Mr. Rath regarding those concerns, and the distinction with the 1A (current Summit) is that they are Condos with 20 ft between buildings. The Planning Commission considered and 5 ft would ensure 10 ft between buildings.

Ms. Ewing and another developer are paying for a Civil Engineer to have an analysis done for GDOT. Administrator Kinley indicated they would send the information to GDOT for consideration.

Mayor Norton reminded participants that the original application of this PUD had more density than the current applications. GDOT agreed at the time, and as the density has decreased in the new plans, he was not sure there would be much of a change. Council and Ms. Ewing had a conversation about the size, and Mayor Norton also indicated that having an average instead of minimum square footage allows the developer to avoid cookie-cutter homes. Ms. Ewing suggested that 1400 sq ft minimum with an average of 1700 would work best for their plan. Ms. Ewing also indicated that the developers anticipate working together to have two construction entrances.

Council and City Team discussed the curb cuts being in more of a T style to allow for efficiency and safety and agreed that the City Engineer would look at curb cuts as part of the natural process.

City Attorney Parks called for the following item on the agenda.

3. REZN 21-5 Highlands Development Group, LLC, Jameson Kinley - Planning and Zoning Administrator

Mr. Logan Moye spoke in the representation of the developer. The developer is interested in 74 units at a 1:1 density. They are working with Lindsay Ewing of ECraft developers and funding the traffic study, which is a concern for current residents. To alleviate the construction burden on the current residents, they are working on a secondary construction entrance with the Summit Condominium Association and are partnering with Piedmont Residential for homebuilding.

City Attorney Parks asked for comments from the audience for or against the development.

Mr. Bill Rath, President of the Summit Condominium Association, approached the podium with a PowerPoint Presentation and presented the following concerns: a request for a traffic study and setback requirements. He demonstrated a proposed solution for a city access road to the proposed development.

Administrator Kinley indicated the zoning request is not currently in the city limits and has an annexation request in process. Planning Commission recommended density to be 1.05/AC., minimum of 1700 sq ft, conforming architectural style, prohibited Short-Term Rental properties, to have DOT approvals before building permit issuance, and internal roads are private.

Mayor Norton called for questions from Council. Council discussed the topographical needs of the development and the level of activity on the slopes highlighting erosion control measures to protect the waterways and reservoir. Council also had concerns with sidewalks which were not in the original plan. Mr. Moyer indicated that the goal was to use some extra acreage for green space and walking trails.

At the end of the discussions, City Attorney Parks indicated readiness to close the Public Hearing.

Mayor Norton indicated Council would take action at the Council Meeting in December.

#### ADJOURNMENT

Mayor Norton asked for a motion to close the session

Councilmember Gaddis made a motion. Seconded by Councilmember Larson. Voting Yea: Councilmember Gaddis, Councilmember Larson, Councilmember Ariemma, Councilmember Cordle