



CITY OF DAHLONEGA

Planning Commission Meeting Agenda

April 01, 2025, 6:00 PM
Gary McCullough Chambers, Dahlonega City Hall

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 706-864-6133.

Vision - Dahlonega will be the most welcoming, thriving, and inspiring community in North Georgia

Mission Statement - Dahlonega, a City of Excellence, will provide quality services through ethical leadership and fiscal stability, in full partnership with the people who choose to live, work, and visit. Through this commitment, we respect and uphold our rural Appalachian setting to honor our thriving community of historical significance, academic excellence, and military renown.

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. Public Hearing of March 4, 2025
Rhonda Hansard, City Clerk
2. Regular Meeting of March 4, 2025
Rhonda Hansard, City Clerk
1. ZONING CASES:
2. CONDITIONAL USES:

NEW BUSINESS

1. ZONING CASES:
2. CONDITIONAL USES:
3. [BZA-24-8 - Request by Jim Gribben to vary from the Zoning Ordinance at property located at 277 Hawkins Street - Parcel D07-065](#)
[Allison Martin, City Manager](#)
4. REZN-25-1 for The Crown, LLC on behalf of property owners, Henry W. and Angie M. Bennett and agent, J.R. Johnson request to rezone a 16.38 +/- acre property at Hamp Mill Road (Tax Parcel 061 001 C01) from R-1 Single-Family Residential District and B-1 Neighborhood Business District to R-2 Multiple-Family Residential District for the construction of not to exceed 88 multi-family dwelling units
Allison Martin, City Manager

OLD BUSINESS

ADJOURNMENT

Guideline Principles - The City of Dahlonaga will be an open, honest, and responsive city that balances preservation and growth and delivers quality services fairly and equitably by being good stewards of its resources. To ensure the vibrancy of our community, Dahlonaga commits to Transparency and Honesty, Dedication and Responsibility, Preservation and Sustainability, Safety and Welfare ...for ALL!



CITY OF DAHLONEGA

Planning Commission Public Hearing Minutes

March 04, 2025, 6:00 PM

Gary McCullough Chambers, Dahlonega City Hall

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CALL TO ORDER

Chairman Conaway called the Public Hearing to order at 6:10 p.m. with all Commissioners present.

APPROVAL OF AGENDA

There was a motion by Commissioner Feagin and a second by Commissioner O'Gorman to approve the Agenda as presented.

Motion carried unanimously.

PUBLIC HEARING

1. (BZA-24-8) Jim Gribben has requested to vary from the Zoning Ordinance as provided below for the property at 277 Hawkins Street (parcel D07 065):

Relief from Sec. 2001, Minimum setback requirements by zoning district, to reduce the minimum front yard setback from 35 feet to 15 feet and to reduce the minimum left-side yard setback from 15 feet to 12 feet along a non-arterial street in a R-1: single-family residential district. The applicant has requested this relief to construct a residential addition.

Zachary Lloyd, CPL

Jim Gribben addressed the Commission; a Concept Plan and image of the property was displayed.

The Commission addressed Mr. Gribben and asked questions regarding the intent of the requested variances; Mr. Gribben addressed the Commission.

Commissioner O'Gorman left the Meeting at 6:25 p.m. and returned at 6:27 p.m.

There were no individuals present wishing to speak in opposition to this application.

Allison Martin, City Manager, addressed the Commission and the parcel image from the County's qPublic website was displayed. Manager Martin confirmed that there is an existing structure on the property that encroaches the existing setback.

The Commission held a discussion with Mr. Gribben.

There was a motion by Commissioner Spivey and a second by Commissioner O'Gorman to deny the front yard setback and approve the left side setback facing the subject property from Hawkins Street.

Motion carried with four members in favor (Feagin, Guy, O'Gorman, and Spivey), one member opposed (Steinberg), and one member abstained (Norton).

Commissioner Norton explained that his reasoning for not voting on this application was due to his recent appointment to the Planning Commission (March 3, 2025) and not having time to review/study the applicant's request.

Chairman Conaway clarified that this evening's vote was for a recommendation to the Board of Zoning Appeals and was not to be considered as a formal approval.

ADJOURNMENT

There was a motion by Commissioner Guy and a second by Commissioner Feagin to adjourn the Public Hearing.

Motion carried unanimously, and the Public Hearing was adjourned at 7:02 p.m.

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CITY OF DAHLONEGA

Planning Commission Meeting Minutes

March 04, 2025, 6:00 PM

Gary McCullough Chambers, Dahlonega City Hall

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 706-864-6133.

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Mission Statement - Dahlonega, a City of Excellence, will provide quality services through ethical leadership and fiscal stability, in full partnership with the people who choose to live, work, and visit. Through this commitment, we respect and uphold our rural Appalachian setting to honor our thriving community of historical significance, academic excellence, and military renown.

CALL TO ORDER

Chairman Conaway called the Meeting to order at 6:00 p.m. with all Commission members present.

Chairman Conaway welcomed new Commission member, Ethan Norton.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

The Pledge of Allegiance to the American Flag was led by Chairman Conaway.

APPROVAL OF AGENDA

There was a motion by Commissioner Feagin and a second by Commissioner O'Gorman to approve the Agenda as presented.

Motion carried unanimously.

ELECTION OF OFFICERS FOR 2025

There was a motion by Commissioner Guy and second by Commissioner Spivey to appoint Commissioner Conaway as the 2025 Chairman of the Planning Commission.

Motion carried unanimously.

There was a motion by Commissioner O'Gorman and a second by Commissioner Feagin to appoint Commissioner Steinberg as the 2025 Vice-Chairman of the Planning Commission.

Commissioner Steinberg declined the appointment.

No vote was taken.

There was a motion by Commissioner Spivey and a second by Commissioner Guy to appoint Commissioner Feagin as the 2025 Vice-Chairman of the Planning Commission.

Motion carried unanimously.

APPROVAL OF MINUTES

- a. Regular Meeting of January 7, 2025

Rhonda Hansard, City Clerk

There was a motion by Commissioner Feagin and a second by Commissioner Guy to approve the Minutes of the Regular Meeting of January 7, 2025.

Motion carried unanimously.

OLD BUSINESS

1. ZONING CASES:
None
2. CONDITIONAL USES:
None

NEW BUSINESS

1. ZONING CASES:
None
2. CONDITIONAL USES:
None

ADJOURNMENT

There was a motion by Commissioner O'Gorman and a second by Commissioner Feagin to adjourn the Meeting.

Motion carried unanimously, and the Meeting was adjourned at 6:09 p.m.

Guideline Principles - The City of Dahlonaga will be an open, honest, and responsive city that balances preservation and growth and delivers quality services fairly and equitably by being good stewards of its resources. To ensure the vibrancy of our community, Dahlonaga commits to Transparency and Honesty, Dedication and Responsibility, Preservation and Sustainability, Safety and Welfare ...for ALL!



Planning Commission Recommendation

DATE: 4/1/2025
TITLE: REZN-25-1
PRESENTED BY: Allison Martin, Prepared by Doug Parks
PRIORITY Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

REZN-25-1 for The Crown, LLC on behalf of property owners, Henry W. and Angie M. Bennett and agent, J.R. Johnson request to rezone a 16.38 +/- acre property at Hamp Mill Road (tax parcel 061 001 C01) from R-1: Single- family Residential District, B-1 Neighborhood Business District; not to exceed 88 multiple- family dwelling units.

HISTORY/PAST ACTION

None.

FINANCIAL IMPACT

None.

RECOMMENDATION

Approval, conditional.

SUGGESTED MOTIONS

Motion to recommend approval with conditions as specified in the attached Consulting Planner's Report.

ATTACHMENTS

Consulting Planner's Report.

CONSULTING PLANNER'S REPORT

TO: Dahlonge Planning Commission and City Council
c/o Doug Parks, City Attorney

FROM: Jerry Weitz, PhD, FAICP, Consulting Planner

SITE VISIT DATE: N/A: No site visit was conducted

DATE: March 19, 2025

SUBJECT: **REZN 25-01:** Rezoning from R-1 (Single Family Residential District) and B-1 (Neighborhood Business District) to R-2 (Multiple Family Residential District)

PUBLIC HEARINGS: April 1, 2025 @ 6:00 p.m. (Planning Commission)
April 21, 2025 @ 4:00 p.m. (Mayor and City Council)

VOTING SESSION: May 5, 2025 @ 6:00 p.m. (Mayor and City Council)

APPLICANT: The Crown, LLC

OWNER(S): Henry W. and Angie M. Bennett

LOCATION: Fronting on Torrington Drive and Hamp Mill Road

PARCEL #: 061 001 C01 and part of 061 050

ACREAGE: 16.38

EXISTING USE: Vacant

PROPOSED USE: Apartments (up to 88 units) (townhome style)

SURROUNDING LAND USE/ZONING:

NORTH: Vacant lot and two detached single-family dwellings (fronting Hillcrest Drive), R-1 (Single Family Residential District)

EAST: Two detached single-family dwellings (fronting on North Hall Road / Housley Drive), R-1; Industrial (manufacturing, storage, I (Industrial District)

SOUTH: Multi-family residential, R-3; common area for fee-simple townhouse development, R-3

WEST: Commercial/ storage warehouse, B-1 (Neighborhood Business District; Commercial/ warehouse/ manufacturing, B-2 (Highway Business District)

RECOMMENDATION: **Approval, Conditional**



Tax Map/Aerial Photograph of Property (yellow outline)

Note: The tax map does not show a 40 foot wide strip connecting to Torrington Drive (part of tax map/parcel 061/ 050).

SUMMARY OF PROPOSAL

The application indicates a rezoning is sought from R-1 to R-2. The R-1 zoning applies to all of the parcel except a strip of land forty feet wide, connecting to Torrington Drive; this strip of land is shown on the boundary survey (attached) but is not shown as the same tax parcel in the Lumpkin County Tax Assessor Records. The strip of land is zoned B-1 (Neighborhood Business District) according to Dahlonega's official zoning map; hence, the rezoning request includes rezoning of this narrow strip of land from B-1 to R-2 to provide access to the proposed development.

A letter of intent has been written by the applicant and is attached to this report. A site plan for the proposed multi-family residential development is also provided and attached to this report. The application calls for a maximum of 88 units, but the letter of intent and site plan show 55 units.

A total of 55 units is shown on the site plan in six buildings (two-stories in height). One building with six units is proposed to front on Torrington Drive, while the others are proposed to be served by an internal driveway (24' from back of curb to back of curb). Although the site has frontage on Hamp Mill Road, no access is proposed to it. Each building has a parking lot in front. The site plan shows as many as 11 units in one building. Stormwater retention is shown in two places, one along Torrington Drive and another near Hamp Mill Road.



View of Project Entrance from Torrington Drive



Eastern Portion of Property as Viewed along Torrington Drive

Topography of the site consists of significant relief. The highest portion of the property is at the rear, abutting R-1 zoning and single-family uses with an elevation of 1400 m.s.l. The subject site slopes down to an elevation of 1260 at Torrington Drive and 1210 along Hamp Mill Road.



View of Property Right Rear from Hamp Mill Road

R-2 ZONING DISTRICT AND OTHER REQUIREMENTS

The intent of the R-2 zoning district is to provide for a variety of dwelling types at low to medium densities (up to five and one-half units per acre) in areas served by public water and sanitary sewer. The proposed density of 88 units is within the maximum authorized in the R-2 zoning district. Apartments are a permitted use in R-2, provided that no dwelling is located closer than one hundred (100) feet to an R-1 District boundary (applies to the north and part of the east property line). The site plan shows buildings conforming to the 100' minimum setback from R-1 and other required minimum building setbacks.

REQUIREMENT (R-2 ZONING DISTRICT)	
Building setback from R-1 zoning district boundary for apartments (feet)	100' min.
Front setback, arterial streets (feet)	60' min.
Front setback, other streets (feet)	35' min.
Side setback (feet)	15' min.
Rear setback (feet)	15' min.

Maximum building height (feet)	35'
Maximum units per building	None
Minimum lot width (feet)	80' min.
Minimum lot area (square feet)	15,000 sq. ft. min.
Maximum density (units per acre)	5.5 max.
Minimum floor area per dwelling unit (square feet)	1,000 sq. ft. min.
Minimum parking spaces required (apartments): Two spaces per dwelling unit plus four spaces per leasing office and ten spaces per clubhouse or recreation center	

ZONING CRITERIA

Section 2607 of the Dahlonge zoning ordinance articulates the criteria by which an application for rezoning should be evaluated. They are as follows:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonge.
5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

Note: The Planning Commission and City Council may adopt the findings and determinations provided in this report as written (provided below), if appropriate, or it may modify them. The planning commission and city council may cite one or more of these in its own determinations, as it determines appropriate. The Planning Commission and City Council may modify the language provided here, as necessary, in articulating its own findings. Or, the Planning Commission and City Council can reject these findings and make their own determinations and findings for one or more of the criteria as specified in the Dahlonge zoning ordinance and any additional considerations it determines appropriate.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Finding: The subject property is a transitional property, abutting low-density residential, manufacturing, commercial, and multi-family development. In view of the commercial and industrial zoning abutting the subject property, the R-2 zone and the proposed apartment project is considered to be appropriate and suitable in view of the use and development of adjacent and nearby property **(supports request)**, provided that conditions of zoning recommended in this report are applied to the rezoning **(supports conditional approval)**.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Finding: If rezoned R-2 and developed as proposed by the applicant, the project will not adversely affect the use or usability of adjacent or nearby property, particularly since the Dahlonge zoning ordinance requires a 100 foot minimum building setback for apartments from any R-1 zoning district boundary. The site plan shows all buildings meeting that minimum **(supports request)**. However, additional conditions of zoning approval are recommended to protect the abutting R-1 neighborhood **(supports conditional approval)**. Parking lots are proposed to encroach slightly in the 100 foot building setback, but parking is allowed there under the code. The letter of intent indicates a willingness to protect the adjacent R-1 zoned lots with natural and planted buffers. Consulting planner recommends that a natural, undisturbed (no grading) buffer of 50 feet minimum be required as a condition of zoning approval abutting R-1 zoning (within the required 100 foot minimum building setback for apartments).

3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Finding (roads): The applicant does not propose access onto Hamp Mill Road. Consulting planner recommends a condition of zoning to prohibit access to Hamp Mill Road. Access and road impacts will be limited to Torrington Drive. The applicant's property has relatively limited frontage on Torrington Drive, including a 24-foot access driveway which will provide access for the vast majority of the units and approximately 280 feet at the southeastern corner of the property with one proposed curb cut providing access to six units. Torrington Drive serves a manufacturing establishment and also provides access to some multi-family residential dwellings and business. The city's manager or consulting engineer should assess whether road improvements such as curb, gutter, and sidewalk should be required. At minimum, consulting planner recommends that the applicant be required to extend curb and gutter from the curb cut into the development to connect with the curb and gutter on property abutting to the west (apartments), in conjunction with construction of the six-unit building fronting Torrington Drive **(supports conditional approval)**.

Finding (utilities): The applicant indicates that water and sanitary sewer are available to serve the project (**inconclusive**). The city engineer or city manager should confirm availability of water and sanitary sewer service.

Finding (schools): The project with up to 88 units (55 shown on site plan) is likely to have some additional impact on the Lumpkin County public school system. The exact amount cannot be predicted without additional effort. These impacts on schools are mitigated in part with additional property tax revenues. The school system may be asked to further assess the impacts of up to 88 apartment units on the public school system (**inconclusive**).

Finding (parks and recreation): If zoned and constructed as proposed, the project will be occupied by residents that will add marginally to the parks and recreation facilities provided by the city and county. To some extent, with the proposal to construct a community recreation area as part of the development, the project will mitigate some of the park and recreation impacts. The site plan shows a “pocket park” next to a mail kiosk and parking for both. A gazebo is also shown. The site is large enough with open spaces and undeveloped portions of the site to serve as passive open space, although some of the area shown as open space may be utilized for additional apartments (up to 88 units total). Consulting planner recommends a condition of zoning approval requiring the pocket park with gazebo be constructed prior to issuance of certificate of occupancy for more than 25% of the units on the subject property (**supports conditional approval**).

4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonega.

Finding: Community goals and issues include the following statement with regard to housing: Housing affordability is critical today, particularly among workforce/ starter units and senior-friendly units. Competition from UNG can affect supply and pricing, as will restrictions from topography and limited utility access. The City should review their ordinances and consider how new trends (short-term rentals, tiny housing...) may impact local markets, and seek policies that preserve local character. The City should also be prepared for more multi-family developments by planning where and how best to accommodate such projects most efficiently and without damaging local character.” The rezoning request is consistent with goals of providing rental housing which may be affordable to workers (**supports request**).

Finding: The city’s comprehensive plan also indicates (p. 13) that: “...preserving... neighborhoods and subdivisions is not only critical to sustaining the city’s cost of living but will contribute to the variety of housing options needed in the future” (**supports request**).

Finding (Character area): The character areas 2022 map shows the subject property is mostly within the “residential” character area, with the strip of land accessing Torrington Drive lying within the “gateway corridors” character area. The description of

the residential character area does not provide any details or specificity as to what housing types are allowed; presumably, all housing types are permitted in the residential character area, including apartments, since there is no specific restriction and because other multi-family developments exist in the residential character area. Absent any such specificity, the requested R-2 zoning and development proposal are considered to be consistent with the character area description (**supports request**). The applicant's letter of intent indicates a willingness on the part of the applicant to design the units in a manner that observes rural/mountain design/character. The recommended conditions of zoning approval include a provision regarding exterior building material finishes (**supports conditional approval**).

5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

Finding: Development trends recognized and articulated in the comprehensive plan appear to provide support, indirectly, for the subject request: "Like much of northern metropolitan Atlanta, Lumpkin County and Dahlongega, along with many neighboring jurisdictions, are receiving more interest in new development each year. Residential projects continue to creep toward the mountains as households seek cheaper land and/or more attractive, rural places to reside while still retaining commuting distance to employment options" (**tends to support request**).

Finding: The city's comprehensive plan indicates an issue that the city needs more owner-occupied housing. Specifically, it states (p. 19): "Over the last ten years, Dahlongega has experienced a trending decline in owner-occupied housing units. A need has presented itself to ensure that neighborhoods become more stable, mixed-income communities with a more significant percentage of owner-occupied housing." This may not support the request since the project is proposed as all rental rather than with housing ownership opportunities (**may not support request**).

CONCLUSION

Findings in this report support approval of the rezoning request. Conditions of approval are recommended, consistent with the above findings.

CONDITIONS OF ZONING APPROVAL

If this request for R-2 zoning is approved, it should be approved R-2 Conditional, subject to the owner's agreement to abide by the following conditions:

1. **Use prohibitions.** The following uses, otherwise permitted in the R-2 zoning district, shall not be permitted on the subject property:
 - a. Dormitories.
 - b. Convalescent or rest homes, rehabilitation centers, sanitariums, or similar institutionalized residential living facilities involving professional care and treatment.
2. **Site plan and letter of intent.** The subject property shall be developed in substantial accordance with the site plan and letter of intent submitted with rezoning application REZN 25-01, except as modified by these conditions of zoning approval.
3. **Maximum number of units.** The maximum number of residential units on the subject property shall not exceed 88.
4. **Housing unit mix.** The project will include a combination of one-bedroom, two-bedroom and three-bedroom units; one-bedroom, two-bedroom and three-bedroom units shall each not exceed forty percent (40%) of the total number of units. There shall be no units with four or more bedrooms.
5. **Maximum building length.** No apartment building or residential structure shall have a length greater than 200 feet, unless broken by a clear line of demarcation, suggestive of an (L), at an angle of 75 degrees to 105 degrees.
6. **Exterior building material finishes.** All apartment buildings or residential structures shall be finished with exterior building materials such that at least 50 percent of the exterior wall of the front façades are constructed of brick or stone, or brick veneer or stone veneer.
7. **Access.** No vehicular access shall be permitted on Hamp Mill Road. No more than six units shall front directly on Torrington Drive. The access driveway serving the majority of the units shall be paved with curb and gutter on both sides and with a minimum width of 24 feet from back of curb to back of curb.
8. **Buffer.** Abutting R-1 (Single Family Residential District) zoning, within the required 100-foot building setback required, there shall be a minimum 50 foot wide natural, undisturbed buffer, within which no grading or tree removal shall be authorized.

9. **Torrington Drive improvement.** Prior to issuance of a certificate of occupancy for any dwelling units fronting on Torrington Drive, the owner/developer shall be required to install curb and gutter from the project curb cut onto Torrington Drive to the west property line (connecting to existing curb on the adjacent apartment development), as approved by the zoning administrative officer.
10. **Pocket park.** No later than issuance of a certificate of occupancy for more than 25 percent of the maximum number of units on the site, the owner/developer shall be required to construct a pocket park with parking and gazebo and with active or passive recreational space in the vicinity as approved by the zoning administrative officer. No building or structure associated with the pocket park shall be located within 150 feet of an R-1 zoning district boundary.
11. **Water/sewer.** All development shall conform to City of Dahlonga Ordinance 75-1 (latest amendment) and shall include current tap fee charges and consumption rates as well as other city regulations pertaining to water and sewer installation.
12. **Solid waste collection/dumpsters.** All proposed solid waste loading centers shall be accessible by rear-loading solid waste collection vehicles, consistent with those used by the City of Dahlonga.

Hamp Mill Rd/Torrington Dr
Tax ID: 061 001 C01
16.38+/- Acres

Owner: Henry W & Angie M Bennett

Applicant: The Crown, LLC

Letter of Intent to Rezone from R-1 to R-2

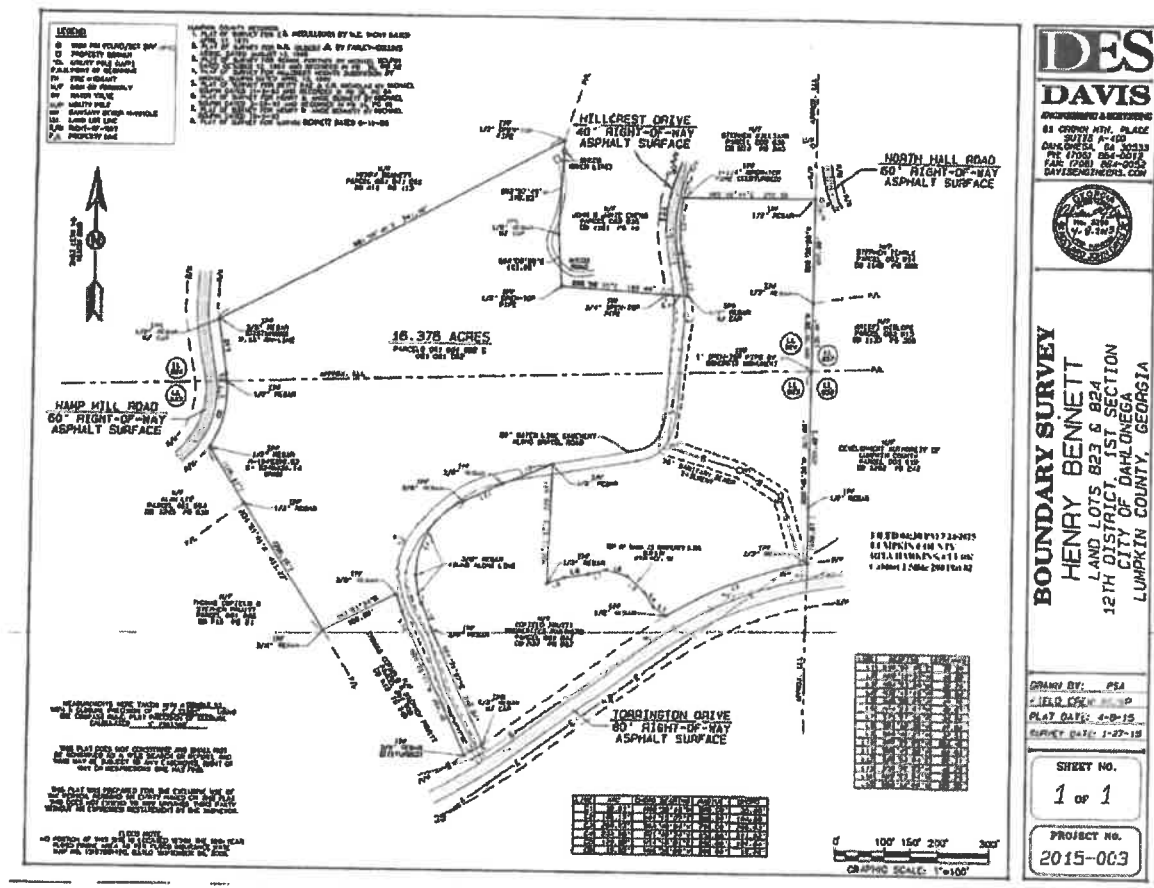
It is the intent of The Crown, LLC to rezone 16.38+/- acres of raw land from its current zoning of R-1 to R-2 in order to develop 55+/- Townhomes. Access to 49+/- of the units will come off an existing dirt road that fronts along Torrington Dr. The remaining 6 units will be stand alone with an entrance off Torrington Dr. It is the intent of The Crown, LLC to develop this property in 3 phases that will allow the property to grow alongside the demand that the city of Dahlonega expects.

The surrounding properties are a mixture of Industrial to the east, R-2 to the south, B-2 to the west, and R-1 to the north. The abutting southern property is the newest development in the direct area zoned R-2 which was built in the last 5 years which is a townhome development. This use falls in line with the Comprehensive Land use map. The development will use natural and planted buffers screening the R-1 properties while adhering to the codes not allowing apartment structures within 100 feet of the R-1 district.

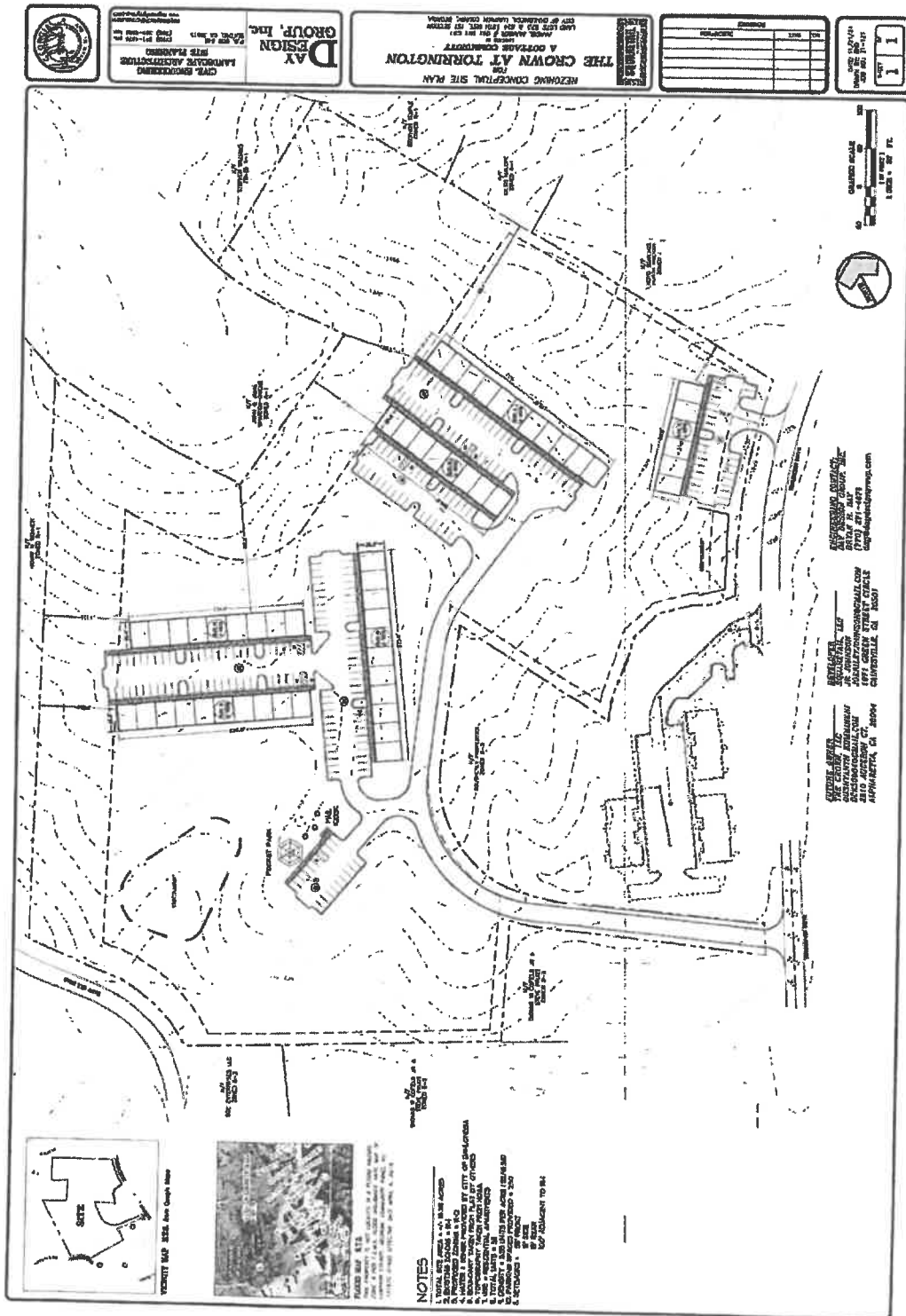
The development will be built as two-story buildings with a basement with front doors fronting parking lots positioned with row style townhomes on either side. The development will have a gravity flow sewer system that will access the city system at Torrington Dr. There is a current water main and hydrant on the property that will be used to tie into the city water system. The main access points will be built in a manner with approval from the city fire marshal and engineer. Two emergency use Hammer Head style truck turn arounds will be provided in the parking areas. There will be a community recreation area with parking on the west side of the property that will also have a location for a mail kiosk. Architecture for the development has not been designed at this time but will adhere to the rural and mountain themed design that the city desires.

This property and design were carefully chosen as one that can be developed in a responsible manner meeting the growing housing needs of the City of Dahlonega that offers a low impact solution while meeting the design and quality standards that will make the city proud.

LETTER OF INTENT



Boundary Survey



Rezoning Site Plan



Board of Zoning Appeals Agenda Memo

DATE: 4/1/2025
TITLE: BZA-24-8
PRESENTED BY: Allison Martin, Prepared by Doug Parks
PRIORITY Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

(BZA-24-8) Jim Gribben has requested to vary from the Zoning Ordinance as provided below for the property at 277 Hawkins Street (parcel D07 065) to reduce the minimum front yard setback from 35 feet to 23 feet and to reduce the minimum left-side yard setback from 15 feet to 12 feet along a street in a R-1: single-family residential district. The applicant requested this relief to construct a residential addition.

HISTORY/PAST ACTION

The planning commission recommended denial of the front yard setback and approved the left side setback facing the subject property from Hawkins Street. Then at the BZA meeting to review the planning commission's recommendation the applicant provided new material demonstrating a slightly lesser front setback. The applicant was directed to return to the planning commission for study of the newly configured request. This is not an extension of the public hearing but merely a request for the planning commission to take a deliberative look at the proposed diagram provided by the applicant. Should the applicant fail to provide appropriate documentation the Planning Commission is advised to note that and to provide a response to the BZA.

FINANCIAL IMPACT

None.

RECOMMENDATION

Review the new material and advise the BZA as to whether the prior recommendation of denial would be changed.

SUGGESTED MOTIONS

Motion to approve the recommendation of the planning commission at a special called BZA meeting on May 5, 2025.

ATTACHMENTS

Diagram of proposed front variance.



Planning Commission Recommendation

DATE: 4/1/2025
TITLE: REZN-25-1
PRESENTED BY: Allison Martin, Prepared by Doug Parks
PRIORITY Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

REZN-25-1 for The Crown, LLC on behalf of property owners, Henry W. and Angie M. Bennett and agent, J.R. Johnson request to rezone a 16.38 +/- acre property at Hamp Mill Road (tax parcel 061 001 C01) from R-1: Single- family Residential District, B-1 Neighborhood Business District; not to exceed 88 multiple- family dwelling units.

HISTORY/PAST ACTION

None.

FINANCIAL IMPACT

None.

RECOMMENDATION

Approval, conditional.

SUGGESTED MOTIONS

Motion to recommend approval with conditions as specified in the attached Consulting Planner's Report.

ATTACHMENTS

Consulting Planner's Report.

CONSULTING PLANNER'S REPORT

TO: Dahlonga Planning Commission and City Council
c/o Doug Parks, City Attorney

FROM: Jerry Weitz, PhD, FAICP, Consulting Planner

SITE VISIT DATE: N/A: No site visit was conducted

DATE: March 19, 2025

SUBJECT: **REZN 25-01:** Rezoning from R-1 (Single Family Residential District) and B-1 (Neighborhood Business District) to R-2 (Multiple Family Residential District)

PUBLIC HEARINGS: April 1, 2025 @ 6:00 p.m. (Planning Commission)
April 21, 2025 @ 4:00 p.m. (Mayor and City Council)

VOTING SESSION: May 5, 2025 @ 6:00 p.m. (Mayor and City Council)

APPLICANT: The Crown, LLC

OWNER(S): Henry W. and Angie M. Bennett

LOCATION: Fronting on Torrington Drive and Hamp Mill Road

PARCEL #: 061 001 C01 and part of 061 050

ACREAGE: 16.38

EXISTING USE: Vacant

PROPOSED USE: Apartments (up to 88 units) (townhome style)

SURROUNDING LAND USE/ZONING:

NORTH: Vacant lot and two detached single-family dwellings (fronting Hillcrest Drive), R-1 (Single Family Residential District)

EAST: Two detached single-family dwellings (fronting on North Hall Road / Housley Drive), R-1; Industrial (manufacturing, storage, I (Industrial District)

SOUTH: Multi-family residential, R-3; common area for fee-simple townhouse development, R-3

WEST: Commercial/ storage warehouse, B-1 (Neighborhood Business District; Commercial/ warehouse/ manufacturing, B-2 (Highway Business District)

RECOMMENDATION: **Approval, Conditional**



Tax Map/Aerial Photograph of Property (yellow outline)

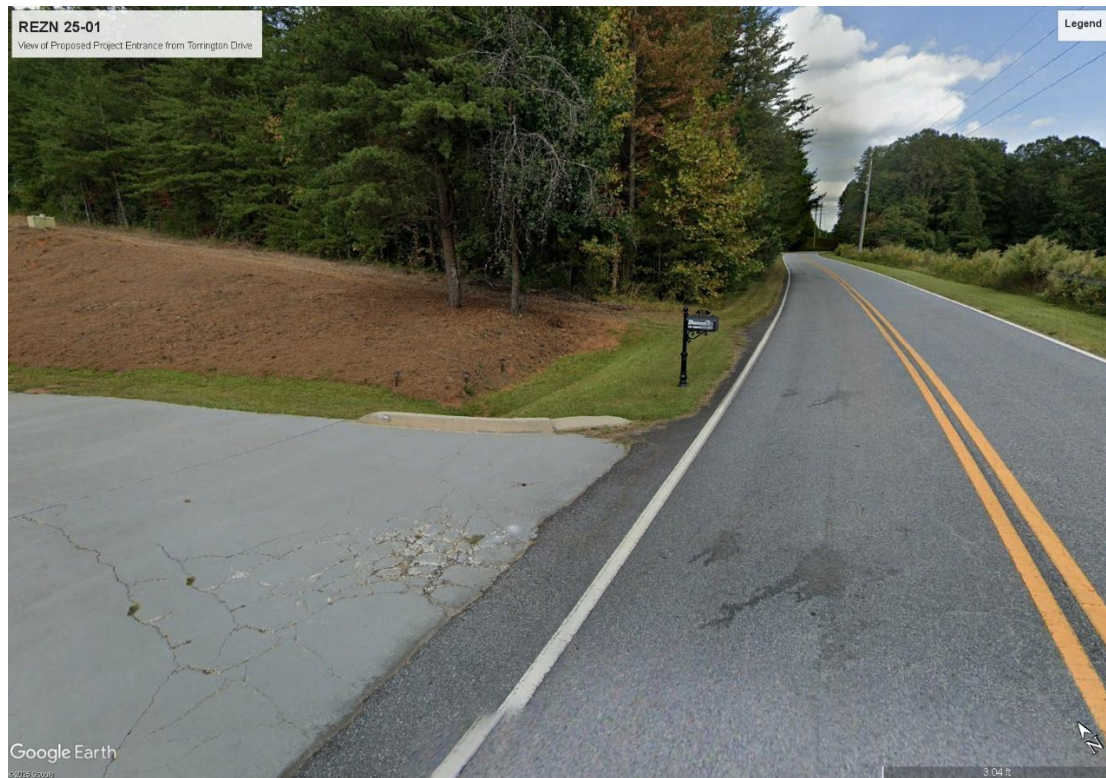
Note: The tax map does not show a 40 foot wide strip connecting to Torrington Drive (part of tax map/parcel 061/ 050).

SUMMARY OF PROPOSAL

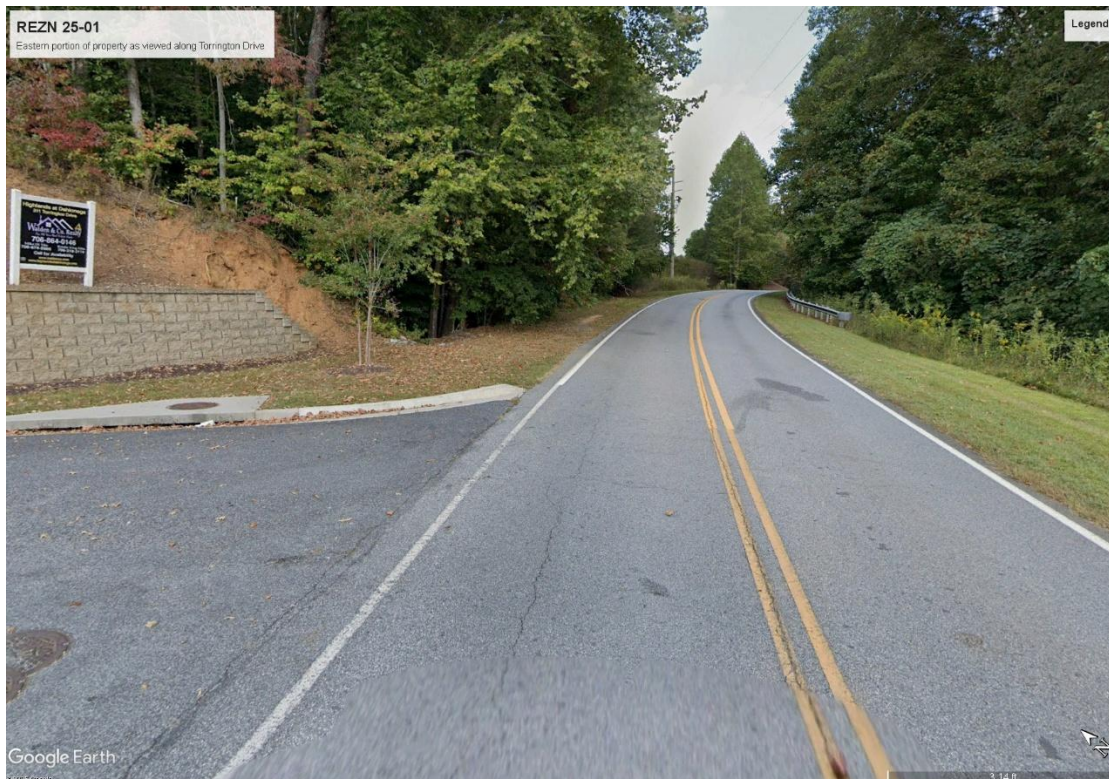
The application indicates a rezoning is sought from R-1 to R-2. The R-1 zoning applies to all of the parcel except a strip of land forty feet wide, connecting to Torrington Drive; this strip of land is shown on the boundary survey (attached) but is not shown as the same tax parcel in the Lumpkin County Tax Assessor Records. The strip of land is zoned B-1 (Neighborhood Business District) according to Dahlonega's official zoning map; hence, the rezoning request includes rezoning of this narrow strip of land from B-1 to R-2 to provide access to the proposed development.

A letter of intent has been written by the applicant and is attached to this report. A site plan for the proposed multi-family residential development is also provided and attached to this report. The application calls for a maximum of 88 units, but the letter of intent and site plan show 55 units.

A total of 55 units is shown on the site plan in six buildings (two-stories in height). One building with six units is proposed to front on Torrington Drive, while the others are proposed to be served by an internal driveway (24' from back of curb to back of curb). Although the site has frontage on Hamp Mill Road, no access is proposed to it. Each building has a parking lot in front. The site plan shows as many as 11 units in one building. Stormwater retention is shown in two places, one along Torrington Drive and another near Hamp Mill Road.



View of Project Entrance from Torrington Drive



Eastern Portion of Property as Viewed along Torrington Drive

Topography of the site consists of significant relief. The highest portion of the property is at the rear, abutting R-1 zoning and single-family uses with an elevation of 1400 m.s.l. The subject site slopes down to an elevation of 1260 at Torrington Drive and 1210 along Hamp Mill Road.



View of Property Right Rear from Hamp Mill Road

R-2 ZONING DISTRICT AND OTHER REQUIREMENTS

The intent of the R-2 zoning district is to provide for a variety of dwelling types at low to medium densities (up to five and one-half units per acre) in areas served by public water and sanitary sewer. The proposed density of 88 units is within the maximum authorized in the R-2 zoning district. Apartments are a permitted use in R-2, provided that no dwelling is located closer than one hundred (100) feet to an R-1 District boundary (applies to the north and part of the east property line). The site plan shows buildings conforming to the 100' minimum setback from R-1 and other required minimum building setbacks.

REQUIREMENT (R-2 ZONING DISTRICT)	
Building setback from R-1 zoning district boundary for apartments (feet)	100' min.
Front setback, arterial streets (feet)	60' min.
Front setback, other streets (feet)	35' min.
Side setback (feet)	15' min.
Rear setback (feet)	15' min.

Maximum building height (feet)	35'
Maximum units per building	None
Minimum lot width (feet)	80' min.
Minimum lot area (square feet)	15,000 sq. ft. min.
Maximum density (units per acre)	5.5 max.
Minimum floor area per dwelling unit (square feet)	1,000 sq. ft. min.
Minimum parking spaces required (apartments): Two spaces per dwelling unit plus four spaces per leasing office and ten spaces per clubhouse or recreation center	

ZONING CRITERIA

Section 2607 of the Dahlonega zoning ordinance articulates the criteria by which an application for rezoning should be evaluated. They are as follows:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonega.
5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

Note: The Planning Commission and City Council may adopt the findings and determinations provided in this report as written (provided below), if appropriate, or it may modify them. The planning commission and city council may cite one or more of these in its own determinations, as it determines appropriate. The Planning Commission and City Council may modify the language provided here, as necessary, in articulating its own findings. Or, the Planning Commission and City Council can reject these findings and make their own determinations and findings for one or more of the criteria as specified in the Dahlonega zoning ordinance and any additional considerations it determines appropriate.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Finding: The subject property is a transitional property, abutting low-density residential, manufacturing, commercial, and multi-family development. In view of the commercial and industrial zoning abutting the subject property, the R-2 zone and the proposed apartment project is considered to be appropriate and suitable in view of the use and development of adjacent and nearby property (**supports request**), provided that conditions of zoning recommended in this report are applied to the rezoning (**supports conditional approval**).

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Finding: If rezoned R-2 and developed as proposed by the applicant, the project will not adversely affect the use or usability of adjacent or nearby property, particularly since the Dahlonge zoning ordinance requires a 100 foot minimum building setback for apartments from any R-1 zoning district boundary. The site plan shows all buildings meeting that minimum (**supports request**). However, additional conditions of zoning approval are recommended to protect the abutting R-1 neighborhood (**supports conditional approval**). Parking lots are proposed to encroach slightly in the 100 foot building setback, but parking is allowed there under the code. The letter of intent indicates a willingness to protect the adjacent R-1 zoned lots with natural and planted buffers. Consulting planner recommends that a natural, undisturbed (no grading) buffer of 50 feet minimum be required as a condition of zoning approval abutting R-1 zoning (within the required 100 foot minimum building setback for apartments).

3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Finding (roads): The applicant does not propose access onto Hamp Mill Road. Consulting planner recommends a condition of zoning to prohibit access to Hamp Mill Road. Access and road impacts will be limited to Torrington Drive. The applicant's property has relatively limited frontage on Torrington Drive, including a 24-foot access driveway which will provide access for the vast majority of the units and approximately 280 feet at the southeastern corner of the property with one proposed curb cut providing access to six units. Torrington Drive serves a manufacturing establishment and also provides access to some multi-family residential dwellings and business. The city's manager or consulting engineer should assess whether road improvements such as curb, gutter, and sidewalk should be required. At minimum, consulting planner recommends that the applicant be required to extend curb and gutter from the curb cut into the development to connect with the curb and gutter on property abutting to the west (apartments), in conjunction with construction of the six-unit building fronting Torrington Drive (**supports conditional approval**).

Finding (utilities): The applicant indicates that water and sanitary sewer are available to serve the project (**inconclusive**). The city engineer or city manager should confirm availability of water and sanitary sewer service.

Finding (schools): The project with up to 88 units (55 shown on site plan) is likely to have some additional impact on the Lumpkin County public school system. The exact amount cannot be predicted without additional effort. These impacts on schools are mitigated in part with additional property tax revenues. The school system may be asked to further assess the impacts of up to 88 apartment units on the public school system (**inconclusive**).

Finding (parks and recreation): If zoned and constructed as proposed, the project will be occupied by residents that will add marginally to the parks and recreation facilities provided by the city and county. To some extent, with the proposal to construct a community recreation area as part of the development, the project will mitigate some of the park and recreation impacts. The site plan shows a “pocket park” next to a mail kiosk and parking for both. A gazebo is also shown. The site is large enough with open spaces and undeveloped portions of the site to serve as passive open space, although some of the area shown as open space may be utilized for additional apartments (up to 88 units total). Consulting planner recommends a condition of zoning approval requiring the pocket park with gazebo be constructed prior to issuance of certificate of occupancy for more than 25% of the units on the subject property (**supports conditional approval**).

4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonega.

Finding: Community goals and issues include the following statement with regard to housing: Housing affordability is critical today, particularly among workforce/ starter units and senior-friendly units. Competition from UNG can affect supply and pricing, as will restrictions from topography and limited utility access. The City should review their ordinances and consider how new trends (short-term rentals, tiny housing...) may impact local markets, and seek policies that preserve local character. The City should also be prepared for more multi-family developments by planning where and how best to accommodate such projects most efficiently and without damaging local character.” The rezoning request is consistent with goals of providing rental housing which may be affordable to workers (**supports request**).

Finding: The city’s comprehensive plan also indicates (p. 13) that: “...preserving... neighborhoods and subdivisions is not only critical to sustaining the city’s cost of living but will contribute to the variety of housing options needed in the future” (**supports request**).

Finding (Character area): The character areas 2022 map shows the subject property is mostly within the “residential” character area, with the strip of land accessing Torrington Drive lying within the “gateway corridors” character area. The description of

the residential character area does not provide any details or specificity as to what housing types are allowed; presumably, all housing types are permitted in the residential character area, including apartments, since there is no specific restriction and because other multi-family developments exist in the residential character area. Absent any such specificity, the requested R-2 zoning and development proposal are considered to be consistent with the character area description **(supports request)**. The applicant's letter of intent indicates a willingness on the part of the applicant to design the units in a manner that observes rural/mountain design/character. The recommended conditions of zoning approval include a provision regarding exterior building material finishes **(supports conditional approval)**.

5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

Finding: Development trends recognized and articulated in the comprehensive plan appear to provide support, indirectly, for the subject request: "Like much of northern metropolitan Atlanta, Lumpkin County and Dahlonega, along with many neighboring jurisdictions, are receiving more interest in new development each year. Residential projects continue to creep toward the mountains as households seek cheaper land and/or more attractive, rural places to reside while still retaining commuting distance to employment options" **(tends to support request)**.

Finding: The city's comprehensive plan indicates an issue that the city needs more owner-occupied housing. Specifically, it states (p. 19): "Over the last ten years, Dahlonega has experienced a trending decline in owner-occupied housing units. A need has presented itself to ensure that neighborhoods become more stable, mixed-income communities with a more significant percentage of owner-occupied housing." This may not support the request since the project is proposed as all rental rather than with housing ownership opportunities **(may not support request)**.

CONCLUSION

Findings in this report support approval of the rezoning request. Conditions of approval are recommended, consistent with the above findings.

CONDITIONS OF ZONING APPROVAL

If this request for R-2 zoning is approved, it should be approved R-2 Conditional, subject to the owner's agreement to abide by the following conditions:

1. **Use prohibitions.** The following uses, otherwise permitted in the R-2 zoning district, shall not be permitted on the subject property:
 - a. Dormitories.
 - b. Convalescent or rest homes, rehabilitation centers, sanitariums, or similar institutionalized residential living facilities involving professional care and treatment.
2. **Site plan and letter of intent.** The subject property shall be developed in substantial accordance with the site plan and letter of intent submitted with rezoning application REZN 25-01, except as modified by these conditions of zoning approval.
3. **Maximum number of units.** The maximum number of residential units on the subject property shall not exceed 88.
4. **Housing unit mix.** The project will include a combination of one-bedroom, two-bedroom and three-bedroom units; one-bedroom, two-bedroom and three-bedroom units shall each not exceed forty percent (40%) of the total number of units. There shall be no units with four or more bedrooms.
5. **Maximum building length.** No apartment building or residential structure shall have a length greater than 200 feet, unless broken by a clear line of demarcation, suggestive of an (L), at an angle of 75 degrees to 105 degrees.
6. **Exterior building material finishes.** All apartment buildings or residential structures shall be finished with exterior building materials such that at least 50 percent of the exterior wall of the front façades are constructed of brick or stone, or brick veneer or stone veneer.
7. **Access.** No vehicular access shall be permitted on Hamp Mill Road. No more than six units shall front directly on Torrington Drive. The access driveway serving the majority of the units shall be paved with curb and gutter on both sides and with a minimum width of 24 feet from back of curb to back of curb.
8. **Buffer.** Abutting R-1 (Single Family Residential District) zoning, within the required 100-foot building setback required, there shall be a minimum 50 foot wide natural, undisturbed buffer, within which no grading or tree removal shall be authorized.

9. **Torrington Drive improvement.** Prior to issuance of a certificate of occupancy for any dwelling units fronting on Torrington Drive, the owner/developer shall be required to install curb and gutter from the project curb cut onto Torrington Drive to the west property line (connecting to existing curb on the adjacent apartment development), as approved by the zoning administrative officer.
10. **Pocket park.** No later than issuance of a certificate of occupancy for more than 25 percent of the maximum number of units on the site, the owner/developer shall be required to construct a pocket park with parking and gazebo and with active or passive recreational space in the vicinity as approved by the zoning administrative officer. No building or structure associated with the pocket park shall be located within 150 feet of an R-1 zoning district boundary.
11. **Water/sewer.** All development shall conform to City of Dahlonega Ordinance 75-1 (latest amendment) and shall include current tap fee charges and consumption rates as well as other city regulations pertaining to water and sewer installation.
12. **Solid waste collection/dumpsters.** All proposed solid waste loading centers shall be accessible by rear-loading solid waste collection vehicles, consistent with those used by the City of Dahlonega.

Hamp Mill Rd/Torrington Dr
Tax ID: 061 001 C01
16.38+/- Acres

Owner: Henry W & Angie M Bennett

Applicant: The Crown, LLC

Letter of Intent to Rezone from R-1 to R-2

It is the intent of The Crown, LLC to rezone 16.38+/- acres of raw land from its current zoning of R-1 to R-2 in order to develop 55+/- Townhomes. Access to 49+/- of the units will come off an existing dirt road that fronts along Torrington Dr. The remaining 6 units will be stand alone with an entrance off Torrington Dr. It is the intent of The Crown, LLC to develop this property in 3 phases that will allow the property to grow alongside the demand that the city of Dahlonega expects.

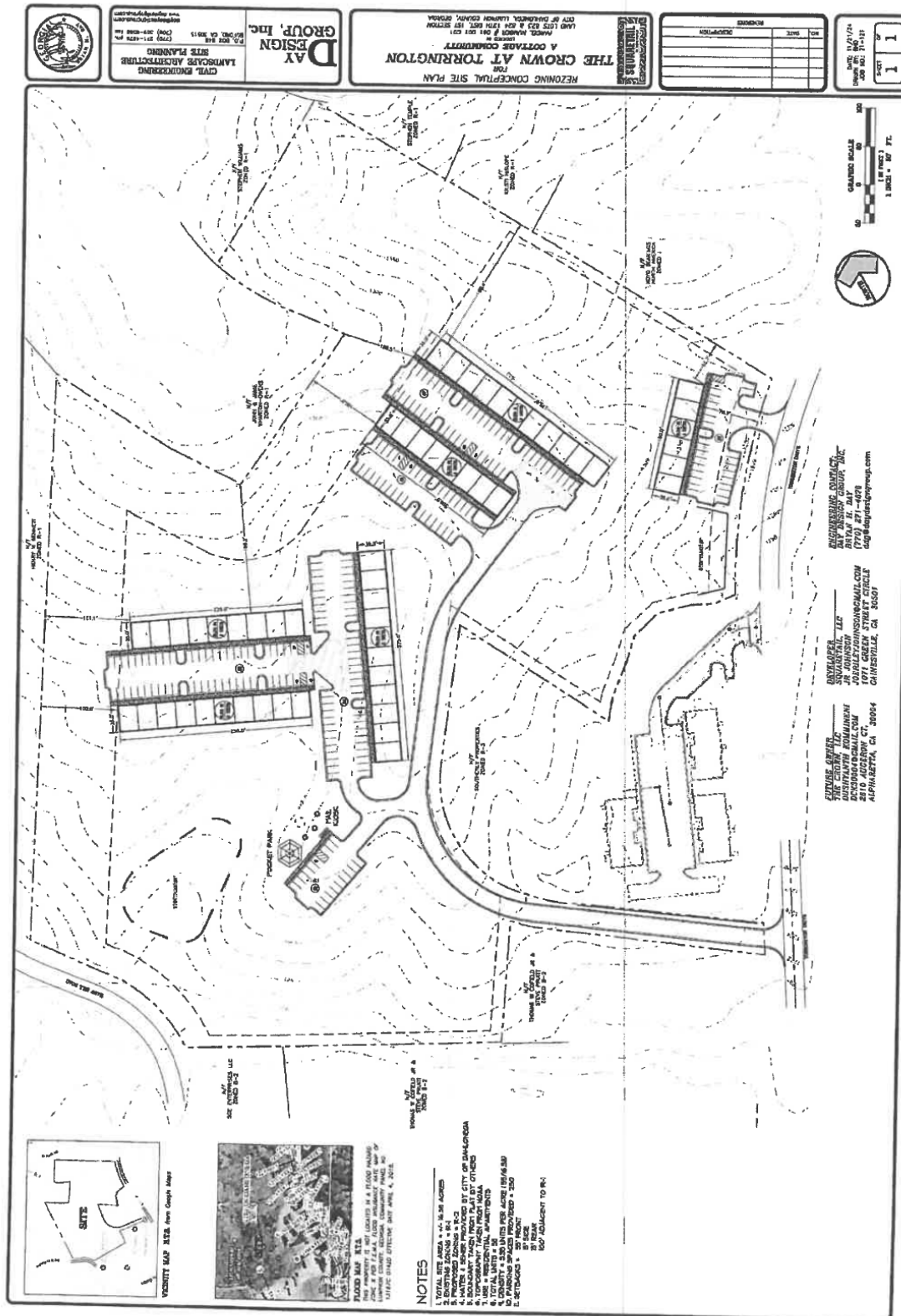
The surrounding properties are a mixture of Industrial to the east, R-2 to the south, B-2 to the west, and R-1 to the north. The abutting southern property is the newest development in the direct area zoned R-2 which was built in the last 5 years which is a townhome development. This use falls in line with the Comprehensive Land use map. The development will use natural and planted buffers screening the R-1 properties while adhering to the codes not allowing apartment structures within 100 feet of the R-1 district.

The development will be built as two-story buildings with a basement with front doors fronting parking lots positioned with row style townhomes on either side. The development will have a gravity flow sewer system that will access the city system at Torrington Dr. There is a current water main and hydrant on the property that will be used to tie into the city water system. The main access points will be built in a manner with approval from the city fire marshal and engineer. Two emergency use Hammer Head style truck turn arounds will be provided in the parking areas. There will be a community recreation area with parking on the west side of the property that will also have a location for a mail kiosk. Architecture for the development has not been designed at this time but will adhere to the rural and mountain themed design that the city desires.

This property and design were carefully chosen as one that can be developed in a responsible manner meeting the growing housing needs of the City of Dahlonega that offers a low impact solution while meeting the design and quality standards that will make the city proud.

LETTER OF INTENT





Rezoning Site Plan