

City of Dawsonville
September 16, 2019
Planning Commission Regular Meeting

Planning Commission Chairman Troy Lindsey called the September 16, 2019 City of Dawsonville Planning Commission regular meeting to order at 5:30 p.m.

Present: Planning Commission Members present: Susan Theisen, Anna Tobolski, Matt Fallstrom, and Troy Lindsey. Staff present: Planning Director Robbie Irvin, Zoning Administrator Nalita Copeland, and City Attorney Kevin Tallant. Councilmen Caleb Phillips and Stephen Tolson were present as well.

Invocation and Pledge: Stephen Tolson gave the invocation and led the pledge.

Approval of the Agenda: Anna Tobolski motioned to approve the agenda; Susan Theisen seconded the motion; there was no further discussion; all were in favor; the agenda was unanimously approved.

Approval of the Minutes:

Anna Tobolski motioned to approve the August 12, 2019 Planning Commission Meeting minutes; Susan Theisen seconded the motion. There was no further discussion and the minutes were unanimously approved.

Old Business: None

New Business: Public Hearings:

At this time, the agenda was amended to move Item # 3 (ZA-C2000023) to the bottom of the agenda due to the applicant being delayed. Susan Theisen motioned to approve moving Item # 3; Anna Tobolski seconded the motion; all were in favor.

The next three items on the agenda are all related and each one a part of the same project. Some of the information presented relates to the entire project while some of the information relates to a specific request.

City Attorney, Kevin Tallant addressed the Planning Commission on ZA-C2000021, VAR-C2000021, and ZA-C000022, submitted by Fall Leaf Residential LLC. He stated that the project is undergoing a DRI (Development of Regional Impact) study due to its potential impact on the area outside the city. Following the presentations and public input, the Planning Commission will need to continue the public hearings on each one until a specific later date. Mr. Tallant recommended a continuance date of November 12, 2019 to allow enough time for the DRI process.

ZA-C2000021: Fall Leaf Residential LLC has requested a zoning amendment for a portion of TMP D04 013 and a portion of D04 021 located at 0 Hwy 53 East and consisting of 25.7 acres from CIR (Restricted Industrial) to R6 (Multi Family Residential)

Matt Fallstrom motioned to go into public hearing for ZA-C2000021; Anna Tobolski seconded; all were in favor. Public hearing was opened at 5:36 p.m.

Planning Director, Robbie Irvin presented the staff report. The property is currently zoned CIR and is vacant. The R6 residential project will consist of 150 townhome units; it is surrounded by commercial zoning; the variance request for a reduction in lot width would allow for more open space; the proposed use is not consistent with the City's comprehensive plan, however the likelihood of a large industrial development under the current CIR zoning is marginal at best. Therefore, it is staff's recommendation that this be approved with the following stipulations:

- Proposed lighting, other than ornamental, shall be full cut off; downlight only, and placed to avoid spillage onto neighboring properties.
- The commercial tract shall incorporate 50% brick or stone to façades visible from the public road way.
- Townhomes front façade shall consist of 80% brick or stone.

Tommy Barnes spoke on behalf of the applicant, Fall Leaf Residential LLC. There is a total of 26.7 acres presently zoned CIR. 25.7 to rezone to R6 for 150 townhomes. They are requesting that one acre be rezoned to CBD for a small retail commercial project. They have tried to incorporate staff and department recommendations such as sprinklers inside all townhome units in addition to the ordinance requirements and a gated emergency only entrance/exit on Hwy 9 South to eliminate cut through traffic; additional parking for guests; and a small amenity area. He added that the development will have a total of 42% open green space however, the ordinance requires only 25%. The open space at the Hwy. 53 East main entrance will provide plenty of room for additional DOT right of way, if needed. He feels that this project will be very good for city and that it will be a more attractive use and more beneficial to the city than any of the allowable uses under the current CIR zoning.

The Planning Commission asked questions concerning square footage of each unit, price point, traffic study, open space, etc. Mr. Barnes responded that each unit will be between 1500 and 1600 square feet not including garages and they are hoping to keep the price of each unit under \$200,000. They will be leaving the existing heavy tree coverage in the open green space as much as possible and landscaping areas where the trees must be removed. There has not been a traffic study done to date. Mr. Irvin stated that this would most likely be addressed by the DRI study.

Ted Bearden, an adjacent property and business owner, would like to see a large commercial development on this property; something that will enhance the City and attract people into downtown to walk, shop, and eat. He is concerned that the large residential development will produce an increase in vandalism and foot traffic across his property, as well as create privacy issues. He does not think this type of development is conducive to the surrounding area. Mike Gaddis, an adjacent property owner, spoke in opposition with his concerns that the development would not be maintained and would end up attracting less desirable activities. Dusty Uselton, an adjacent property owner, spoke in opposition with traffic concerns and the width or size of the units.

Tommy Barnes readdressed the commission in response to the concerns raised. The Hwy 9 South entrance/exit will be locked and can be accessed by emergency personnel only. He stated that he has been involved in a lot of commercial projects and he must disagree that this property is a good site for a commercial development due to its shape, topography, and depth. It is not located on a corner and it does not have a lot of road frontage. He feels that the proposed development is a good use of the property especially in light of what could be developed there under the current CIR zoning. He stated that other cities are really struggling to obtain more city residential space.

Anna Tobolski motioned to continue the public hearing for ZA-C2000021 until November 12, 2019; Susan Theisen seconded the motion; all were in favor.

VAR- C2000021: Fall Leaf Residential LLC has requested a variance to the minimum lot width from 28 feet to 20 feet for a portion of TMP D04 013 and a portion of D04 021 located at 0 Hwy 53 East and consisting of 25.7 acres. Hearing Date: Planning Commission – September 16, 2019.

Matt Fallstrom motioned to go into public hearing for VAR-C2000021; Anna Tobolski seconded; all were in favor. Public hearing was opened at 6:07 p.m.

Planning Director, Robbie Irvin recapped the request for a reduction in the required lot width of 28 feet to 20 feet for the proposed residential townhome development.

Tommy Barnes, representing Fall Leaf Residential LLC presented the request. He stated that the ordinance requires 28 feet width and they are requesting a reduction to 20 feet. There are very few 28 wide unit developments on the northside of Atlanta; 20 feet units are more common. Under a R6 zoning, they could build 20 foot or lower as condos however, they discovered that financing for those types of units are much more complicated. He feels that this will be a very nice addition to downtown with people living close to the city center and that is what many cities are trying to accomplish. Anna Tobolski asked Mr. Barnes to clarify the unnecessary hardship for the 28 feet townhomes. Mr. Barnes stated that the minimum requirement for most jurisdictions on the north side of Atlanta are much smaller. Sue Theisen asked how many units with the required 28 feet width would fit on the property. Mr. Barnes stated that it would greatly affect the amount of open space and they did not do a

28 ft concept plan. However, he would think that they could still get close to the 150 units, but it would require taking out a lot of the green space.

Ted Bearden spoke in opposition, agreeing with Mr. Uselton that 20 feet width is too small.

Anna Tobolski motioned to continue the public hearing for VAR-C2000021 until November 12, 2019; Susan Theisen seconded the motion; all were in favor.

ZA-C2000022: Fall Leaf Residential LLC has requested a zoning amendment for a portion of TMP D04 013 located at 00 Hwy 53 East and consisting of 1.00 acres from CIR (Restricted Industrial) to CBD (Central Business District) Hearing Date: Planning Commission – September 16, 2019 and City Council September 23, 2019.

Susan Theisen motioned to go into the public hearing for ZA-C2000022; Anna Tobolski seconded; all were in favor. Public hearing was opened at 6:15 p.m.

Planning Director Robbie Irvin presented the staff report. The request is to rezone the one-acre parcel to Central Business District. Two of the stipulations in his approval recommendation pertain to this piece of the project. They are as follows:

- Proposed lighting, other than ornamental, shall be full cut off; downlit only, and placed to avoid spillage onto neighboring properties.
- The commercial tract shall incorporate 50% brick or stone to façades visible from the public road way

Tommy Barnes presented the request on behalf of Fall Leaf Residential LLC and stated that they visualize a small commercial development with restaurants and other retail to benefit the city residents.

Dusty Uselton asked for clarification on the continued public hearing and R6 zoning. City Attorney, Kevin Tallant, explained that the public hearing is being continued until November 12, 2019 to allow time for the DRI study to be completed. Robbie Irvin explained that R6 is for multi family units such as duplexes, apartments, townhomes, and condominiums.

Susan Theisen motioned to continue the public hearing until November 12, 2019; Anna Tobolski seconded; all were in favor.

ANX-C2000024 and ZA-C2000024: The City of Dawsonville has petitioned to annex into the city limits of Dawsonville the property known as TMP 080 036 003, located at 1000 Cleve Wright Road and consisting of 32.68 acres, with a request to rezone from County Zoning of RA (Residential Exurban/Agricultural) to City Zoning of INST (Institutional). Public Hearing Dates: Planning Commission on September 16, 2019 and City Council on September 23, 2019 and October 7, 2019

Anna Tobolski motioned to open the public hearing for ANX-C2000024 and ZA-C2000024; Matt Fallstrom seconded; all were in favor. The public hearing was opened at 6:21 p.m.

Planning Director Robbie Irvin presented the request and recommended approval. This property belongs to the city and includes two city operated well sites.

No one spoke in favor or in opposition of the request.

Matt Fallstrom motioned to close the public hearing for ANX-C2000024 and ZA-C2000024; Susan Theisen seconded; all were in favor. The public hearing was closed at 6:22 p.m.

Matt Fallstrom motioned to approve the request; Anna Tobolski seconded; there was no further discussion; all were in favor.

ZA-C2000023: Aseem Qureshi has requested a zoning amendment for the Tract A of TMP 092B 006 004, located at 00 Perimeter Road and consisting of 3.008 acres from R1 (Single Family Residential) to HB (Highway Business). Hearing Date: Planning Commission – September 16, 2019 and City Council September 23, 2019.

Susan Theisen motioned to open the public hearing for ZA-C2000023; Anna Tobolski seconded; all were in favor; the public hearing was opened at 6:23 p.m.

Planning Director Robbie Irvin presented the staff report. The proposed use will be low impact and should not interfere with the surrounding residential properties and is consistent with the City of Dawsonville's Comprehensive Plan. The Planning and Zoning Department recommends approval with the following stipulations:

- Any proposed security lighting shall be full cutoff, downlight only and shall be placed to avoid light spillage onto neighboring properties.
- The facility shall not be accessible between 10 p.m. and 7 a.m.

Aseem Qureshi presented his request with plans to construct high end luxury storage units with secure access at the gate and at each unit. The entrance to the development would be off Hwy 9 with a 10-foot privacy fence.

The commission had questions about the detention pond, climate-controlled units, landscaping, fencing, impervious surface, building facades, etc.

Mr. Irvin explained to the Planning Commission that many of the issues they are concerned with would be determined by the City's Development Regulation requirements during the plan review phase. At this time, a concept plan is provided only to show what the applicant would like to do if the zoning request is approved.

Anna Tobolski motioned to deny the request due to the proposed high intensity use and incompatibility with the area; Susan Theisen seconded the motion adding concerns for impervious surfaces and the negative visual; there was no further discussion; all were in favor of recommending denial of the request.

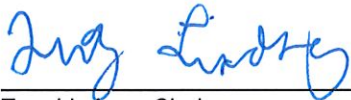
Planning Director Report: Mr. Irvin had nothing further to report at this time.

Announcements: Chairman Troy Lindsey made the following announcements:

- The next meeting date for the Planning Commission is scheduled for October 14, 2019 at 5:30 pm.
- The next City Food Truck Night will be Friday, October 4, 2019; 5-8 pm

Adjournment: With no further business, Anna Tobolski motioned to adjourn; Susan Theisen seconded; All were in favor. The meeting was adjourned at 6:54 p.m.

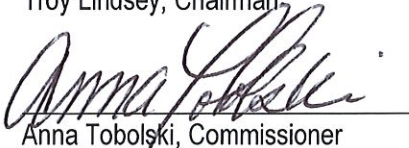
Minutes approved this October 14, 2019.



Troy Lindsey, Chairman



Sue Theisen, Commissioner



Anna Tobolski, Commissioner



Matt Fallstrom, Commissioner

Vacant

Attested 
Nalita Y. Copeland, Zoning Administrator