

City of Dawsonville
October 14, 2019
Planning Commission Regular Meeting

Planning Commission Chairman Troy Lindsey called the October 14, 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. Councilman Stephen Tolson and Mayor Mike Eason were present as well.

Invocation and Pledge: Troy Lindsey gave the invocation and led the pledge.

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

Approval of the Minutes:

Susan Theisen motioned to approve the September 16, 2019 Planning Commission Meeting minutes; Matt Fallstrom seconded the motion. There was no further discussion and the minutes were unanimously approved.

Old Business: None

New Business:

Chairman Troy Lindsey advised the Planning Commission of a training opportunity being offered by the City Attorneys office on December 9, 2019 following the Planning Commission regular meeting. Kevin Tallant advised the Planning Commission as to the purpose of the training.

Public Hearings:

ANX-C2000032 and ZA-C2000032: Sachinkumar Patel has petitioned to annex into the city limits of Dawsonville a portion of TMP 091 012, located at 60 Hwy 136 East and consisting of 5.00 acres, with a request to rezone from County Zoning of RA (Residential Exurban/Agricultural) to City Zoning of HB (Highway Business). Public Hearing Dates: Planning Commission on October 14, 2019 and City Council on October 21, 2019 and November 4, 2019.

Anna Tobolski motioned to go into public hearing for ANX-C2000032 and ZA-C2000032; Sue Theisen seconded; all were in favor. Public hearing was opened at 5:34 p.m.

Chairman Troy Lindsey asked if the applicant was present and ready to present. Mr. Patel advised he was ready. Troy Lindsey then requested Mr. Patel to come forward and state his name and address. Mr. Patel then advised the commission that he wished to annex into the city and rezone the property HB (Highway Business) in order to construct a 30 room hotel. Troy Lindsey then asked if anyone (of the planning commission) had any questions of the applicant.

Chairman Troy Lindsey then asked the Planning Director, Robbie Irvin to present his report. Planning Director, Robbie Irvin presented the staff report. Mr. Sachinkumar Patel has requested annexation into the City of Dawsonville and an amendment to the current zoning ordinance for a portion of TMP 091 012 consisting of 5 acres, located at 60 Hwy 136 East.

Planning and Zoning staff report is as follows:

Current conditions and request are as follows:

Said property is currently within the jurisdiction of Dawson County and zoned RA (Residential/Exurban Agricultural).

The applicant is requesting annexation into the City of Dawsonville and a change in zoning to HB (Highway Business).

The parcel in question is at the intersection of two state highways Hwy 9 and Hwy 136. All other corners of this intersection have previously been annexed two of which are zoned HB and the other R-1 with a nonconforming grandfathered business at that location.

It is typical to see the corners of a rural intersection to experience commercial growth of this nature, mixing new appropriate commercial zonings with older grandfathered uses typically with service type businesses such as gas stations, small markets, etc.

The adjoining residential properties both the annexed and unincorporated parcels are owned by the seller and or family of the seller of the parcel in question and no objections have been raised by them.

This request is consistent with the City of Dawsonville Comprehensive Plan.

I have spoken with adjoining property owner who are in favor of this request with the condition that a security fence be erected around any development that occurs to prevent unwanted trespassing and foot traffic onto their properties. Adjoining property owners are not requesting a security fence around the entire 5 acres but only around the area which is developed.

This office recommends approval with the following stipulations:

All lighting shall be full cutoff down light only as to prevent light spillage onto neighboring properties. When development of said parcel occurs a security fence no less than six feet in height shall be erected around any development but shall not be required around the entirety of the parcel unless said development encompasses such.

Chairman Troy Lindsey then allocated ten minutes for anyone wishing to speak in favor of the request. Four people spoke in favor of the requests.

Chairman Troy Lindsey then allocated ten minutes for anyone wishing to speak against the requests. None were present.

Chairman Troy Lindsey requested a motion to close the public hearing.

Anna Tobolski motioned to close the public hearing for ANX-C2000032 and ZA-C2000032; Susan Theisen seconded the motion; all were in favor. Public hearing was closed at 5:40 p.m.

Chairman Troy Lindsey requested City Attorney Kevin Tallant to address a legal issue regarding the request.

Mr. Tallant detailed the legal issue which involved ownership and subdivision of the parcel and the fact that it did not have a separate Tax Map & Parcel number and advised the Planning Commission that he would recommend denial until the legal issue could be resolved. Anna Tobolski asked if the sale of the parcel to the applicant would alleviate the legal issue to which Mr. Tallant advised yes.

Anna Tobolski motioned to deny the request as it stands with regard to the legal issues. Sue Theisen seconded the motion and during discussion commented that if resolved she would like a stipulation that twenty-five percent of trees removed would be replanted and that twenty percent buffer for the adjoining residential properties. All were in favor.

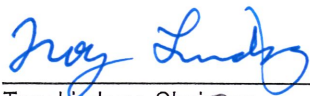
Planning Director Report: Mr. Irvin had nothing further to report at this time.

Announcements: Chairman Troy Lindsey made the following announcements:

- The next meeting date for the Planning Commission is scheduled for November 12, 2019 at 5:30 pm.
- The next City Food Truck Night will be Friday, November 1, 2019; 5-8 pm

Adjournment: With no further business, Matt Fallstrom motioned to adjourn; Anna Tobolski seconded; All were in favor. The meeting was adjourned at 5:47 p.m.

Minutes approved this December 9, 2019.



Troy Lindsey, Chairman



Sue Theisen, Commissioner



Anna Tobolski, Commissioner



Matt Fallstrom, Commissioner

Vacant

Attested



Robbie Irvin, Planning Director