

**MINUTES**  
**PLANNING COMMISSION REGULAR MEETING**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, December 12, 2022**

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1. **CALL TO ORDER:** Chairperson Randy Davis called the meeting to order at 5:30 p.m.
2. **ROLL CALL:** Present were Planning Commission Members, Sandy Sawyer, Josh Nichols, Matt Fallstrom, City Attorney Kevin Tallant, City Manager Bob Bolz, Councilmember Liaison Caleb Phillips, Director of Planning and Zoning Harmit Bedi, Administrative Assistant Diane Callahan, Zoning Administrative Assistant Stacy Harris.  
  
Anna Tobolski was absent from the meeting.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by City Manager Bob Bolz.
4. **ANNOUNCEMENTS:** Chairperson Davis introduced new Planning Commission Member for Post 1, Alexis Noggle. Ms. Noggle will replace Matt Fallstrom. Mr. Fallstrom is moving out of the city and has resigned from the Planning Commission effective December 31, 2022.
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda made by S. Sawyer; second by J. Nichols. Vote carried unanimously in favor.
6. **APPROVAL OF THE MINUTES:** Motion to approve the regular meeting minutes held on Monday, November 14, 2022, made by M. Fallstrom; second by S. Sawyer. Vote carried unanimously in favor.
7. **RECOGNITION OF SERVICES:** City Manager Bob Bolz recognized Carrie Fallstrom and Matt Fallstrom for their services. Carrie served on the Historic Preservation Commission for seven years. Matt served on the Planning Commission for four years. Mr. Bolz presented the Fallstrom's with a certificate and express thanks to them for their public service to the City of Dawsonville.

**PUBLIC HEARING**

8. **VAR-C2300048:** Adams Homes, LLC has requested a variance for a driveway grade slope for TMP 084 003 032, Located at 80 Thunder Valley. Public Hearing Date: Planning Commission on Monday, December 12, 2022.

Chairperson Davis read the variance request and conducted the public hearing.

Motion to open the public hearing made by M. Fallstrom; second by J. Nichols. Vote carried unanimously in favor.

Director Bedi presented the applicant request for a driveway grade slope. The variance is to allow 15.8% graded slope from a required city code of 10%. Mr. Bedi stated the house is almost complete and presented images of the project.

The following person spoke in favor of the request:

- Dustin Wilbanks, 102 Mary Alice Park Rd, Cumming, GA – Mr. Wilbanks is representing Adams Homes. He stated that the basement grade of the house was set to high and resulted in the driveway slope not meeting city code. Mr. Wilbanks said the driveway would come up and have a belly landing before going into the garage.

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No one spoke in opposition of the variance request.

Motion to close the public hearing made by J. Nichols; second S. Sawyer. Vote carried unanimously in favor.

Motion to approve the variance application made by M. Fallstrom; second by J. Nichols. Vote carried unanimously in favor.

9. **ZA-C2300046:** Eastwood Homes of Georgia, LLC has petitioned a change of zoning condition for TMP 082 021; Located at 592 Hwy 53 West, with a city zoning of RPC (Residential Planned Community). Applicant is requesting a removal of stipulation 1a and 1b of ZA-C900004 pertaining to Housing for Older Persons Act (fifty-five (55) years of age or older). Public Hearing Dates: Planning Commission on November 14, 2022, and City Council on December 5, 2022. City Council for a decision on December 19, 2022. Planning Commission postponed the public hearing until Monday, December 12, 2022.

Chairperson Davis read the zoning condition request and conducted the public hearing.

Motion to open the public hearing made by S. Sawyer; second by J. Nichols. Vote carried unanimously in favor.

Director Bedi provided staff analysis and case study on zoning condition application. Mr. Bedi stated that the applicant is requesting the removal of stipulation 1a and 1b of ZA-C900004 pertaining to Housing for Older Person Act Fifty-Five years of age and older and revised site plan. The revised site plan would consist of 61 single homes and 29 townhomes vs the approved site plan of 140 attached units. Applicant is aware of stipulations that were approved on June 3, 2019, and the recommended stipulations by Director of Planning and Zoning (see attached exhibit A).

The following person spoke in favor of the request:

- Scott Dozier, 1000 Mansell Exchange W, Ste 350, Alpharetta, GA – Mr. Dozier stated that he has work with the Planning and Zoning Department with the current stipulations and stipulations that has been suggested by the Director. All homes would have stone or brick on the front and amenities, which would include a park, walk trails and gazebo. Neighborhood will have an HOA. The entrance off of Howser Mill Road will be for emergency access only with Knox Box / Lock and would meet the Dawson Code Fire Code.
- Alexis Noggle, 128 Pinion Drive, Dawsonville, GA – Mrs. Noggle ask if the applicant would consider an all-abilities park. Mr. Dozier stated he is willing to consider this request.

No one spoke in opposition of the zoning request.

Motion to close the public hearing made by J. Nichols; second by S. Sawyer. Vote carried unanimously in favor.

Motion to approve the removal of zoning condition stipulation 1a and 1b of ZA C900004 pertaining to Housing for Older Person Act Fifty-Five years of age and older and maintain the current stipulations made by M. Fallstrom; second by S. Sawyer. Vote carried unanimously in favor.

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Motion to approve the revised site plan from 140 units attached units to 61 single homes and 29 townhomes made by M. Fallstrom; second by J. Nichols. Vote carried unanimously in favor.

**PLANNING DIRECTOR REPORT:**

Director Bedi stated that the staff is working with GMRC regarding the 2023 Comprehensive Plan. Mr. Bedi asked the Planning Commission Members if they have any recommendation for citizens to serve on the steering committee, please forward him their information and he would reach out to see if they are interested in serving on the committee.

**PLANNING COMMISSION REPORTS:**

Chairperson R. Davis announced that the next Planning Commission Meeting is Monday, January 9, 2023.

**ADJOURNMENT:**

Motion to adjourn the meeting at 6:07 p.m. made by S. Sawyer; second by J. Nichols. Vote carried unanimously in favor.


*Approved this 9<sup>th</sup> day of January 2023*



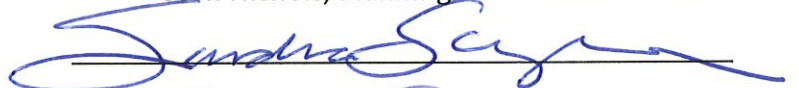
\_\_\_\_\_  
Randy Davis, Commission Chairperson



\_\_\_\_\_  
Alexis Noggle, Planning Commissioner Post 1



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Josh Nichols, Planning Commissioner Post 2



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Sandy Sawyer, Planning Commissioner Post 3



\_\_\_\_\_  
Anna Tobolski, Planning Commissioner Post 4

Attested: 

\_\_\_\_\_  
Stacy Harris, Zoning Administrative Assistant

## EXHIBIT A

1. A planted buffer to City buffer standards of at least one hundred (100) feet in width shall be created along the boundary of parcels 082 020 001, 082 023 002 and 082 023 003. Additionally, a planted buffer to City buffer standards of at least fifty (50) feet in width shall be created between the development and any other adjoining property line. (Approved on June 3, 2019)
2. A maximum of seventy percent (70%) of land determined to be unusable, including, but no way limited to, floodplains, may be considered in calculating density. The overall number of units shall not exceed 90 units **(last stipulation it was 140)**. (Approved on June 3, 2019 / modified)
3. At no point in time may an entrance to the Property / Development be placed on Howser Mill Road other than for emergency access as required by the Fire Marshall. All access to the Property/Development shall be from Highway 53 (other than the emergency access on Howser Mill). (Approved on June 3, 2019)
4. Prior to and as precondition to the issuance of a Site Development Permit, the Owner and/or Developer of the Property /Development shall complete an independent Traffic Study (not done by applicant Ensite Civil Consulting, LLC) and have the same approved by the Georgia Department of Transportation and the City Street Department Director of the impact of the Property/Development as proposed including, not in no way limited to the placement of the traffic lights and/or round-about, as related to the entrance to the Property/Development on Ga. Highway 53 and/or the impact of the proposed development on Ga. Highway 53 Howser Mill Road intersection. Prior to and as a precondition to the issuance of a Site Development Permit, the Owner and/or Developer of the Property/Development shall fund and construct any street improvements called for in the Traffic Study as approved by the Georgia Department of Transportation and the City Street Department Director. (Approved on June 3, 2019)
5. Prior to and as a precondition to the issuance of a Site Development Permit, the Owner and/or Developer of the Property/Development will install at the Owner/Developer's expense such water and sewer lines as are necessary to reach the Property/Development from the existing City water and sewer line infrastructure as determined by the City Engineer, including the installation of any necessary sewer lift stations. (Approved on June 3, 2019)
6. The following shall be placed on all final plats and individual surveys, "NOTICE: This property lies withing a rural area and agricultural activities creating dust, noise, and odors may occur in the vicinity. Understanding this, the grantee and successors in title forgo their right to claim against any agricultural operator in the area who has not been negligent." (Approved on June 3, 2019)
7. The owner/developer shall keep the driveway for the adjacent property owner of TMP 083 009 open and will repair any damage sustained during construction. (Approved on June 3, 2019)
8. Dedicate to the City 20' ROW along the property line on Hwy. 53 West for future road improvements.

9. Dedicate to the City 20' ROW along the property line along Howser Mill Road for future road improvements.
10. All roads within the subdivision shall be public roads. The roads shall be built meeting the City's development standards. The City Engineer and /or the Planning and Zoning Director may request "loaded truck" roll over inspection and core tests, prior to final approval / acceptance of the final plat.
11. The owner/developer shall Grade (sidewalk installation ready) the front along Hwy. 53 West and front along Howser Mill Road for installation/accommodation of 5' sidewalk for future development. Such areas must be stabilized with grass or other means to avoid any erosion after grading.
12. The plans shall provide engineered designed (only) second entrance along Howser Mill Road for future access / development/connectivity.
13. Provide adequate size children's park / picnic area, meeting architectural design standards, for the residents with picnic/gathering area, children's play area, children's play equipment, adequate size (meeting architectural design standards) commercial designed and commercial material gazebo with fire pit. The developer shall submit list of children's play equipment to the Director, Planning and Zoning, for approval. This amenity area shall be completed and approved by the Building Official prior to obtaining Certificate of Occupancy prior to completion of 30% of the houses in the subdivision.
14. The streetlights shall be of decorative design throughout the subdivision.
15. The emergency entrance gate, along Howser Mill Road, design, material and installation shall be approved by the Dawson County Fire Marshal and Director, Planning and Zoning. The owner/developer must submit copy of the approval document to the Director, Planning and Zoning Department for the City records.
16. The Knox Box/Lock must be as customary on similar projects in Dawson County and must have approval of the Fire Marshall.
17. The emergency entrance gate and surroundings along Howser Mill Road must be tastefully designed to match with the development of the subdivision houses (material, color, design etc.). The gate plan must be prepared by an engineer or an architect and approved by the Director, Planning and Zoning.
18. No two homes, next to each other and opposite to each other shall be of the same façade design, material, and facade color.
19. No two townhomes, next to each other and opposite to each other shall be of the same façade design, material, and facade color.
20. The mailbox area shall be designed to provide safe access and exit to the residents. The design shall be of covered mail kiosk, providing mailboxes, provide parcel boxes, well illuminated, and located at a safe and accessible location in the subdivision.
21. The existing trees shall be preserved, to the maximum possible extent on the property especially along throughout the property lines, stream buffers areas, any other unbuilt spaces. If there are gaps/openings in the existing vegetation/tree area, the owner/developer shall plant trees of matching/local species to provide visual screening. Such plan shall be submitted with Construction Plans to the Department of Planning and Zoning for review and approval.

22. At the subdivision, along the Hwy 53 entrance Two decorative styles, tastefully designed, entrance shall per permitted. One sign shall be permitted to be installed within dedicated 20' ROW, which may be removed whenever the Hwy. 53 West improvements are completed. The developer may choose to install additional sign of reasonable size along the Howser Mill Road frontage to direct the visitors to the main access / entrance at Hwy. 53 West.
23. The proposed site plan prepared, dated, 11.15.2022, file number 10195-00 is not "site specific" site plan. However, the developer/property owner shall follow this submitted site plan for preparation of final site plan.
24. The Planning and Zoning Director authorized to approve minor variations during the subdivision development process; however, he/she is not authorized to approved increased density. The applicant must pay the required fees to the City for variations. In addition, the Planning and Zoning Director is authorized to approve the following as Administrative Variance with the written request by the developer or project engineer or project manager with City's applicable fee schedule.
- Front yard, side yard and rear yard setbacks. Variances shall not exceed 20 percent of the setback in applicable areas of this subdivision.
  - Building height. A variance may be granted up to, but not exceeding, ten feet if such variance does not allow space habitable by humans.
  - Parking. If the required parking standards cannot reasonably be met and if a variance will not adversely affect the spirit or intent of the ordinance, then a variance of not more than ten percent may be granted.
25. Access shall be provided from the main entrance road (Hwy 53 West) to the adjacent parcels 083 009 & 083 047. The developer/owner shall be granted in accordance with both City of Dawsonville and Georgia Department of Transportation (GDOT) requirements and shall include driveway aprons and access easements to the adjoining parcels.