

MINUTES
PLANNING COMMISSION REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, June 12, 2023

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, Alexis Noggle, City Attorney Jonah Howell, Councilmember Liaisons Caleb Phillips and John Walden, City Manager Bob Bolz, Planning Director Jameson Kinley, Zoning Administrative Assistant Stacy Harris, Building Inspector Clay Moss. Anna Tobolski was absent from meeting
3. **INVOCATION AND PLEDGE:** Invocation and pledge were led by City Manager Bob Bolz.
4. **ANNOUNCEMENTS:** None
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda made by A. Noggle; second by J. Nichols. Vote carried unanimously in favor.
6. **APPROVAL OF THE MINUTES:** Motion to approve the regular meeting minutes held on Monday, March 13, 2023, made by S. Sawyer; second by A. Noggle. Vote carried unanimously in favor.

PUBLIC HEARING

7. **VAR-C2300101:** Ensite Civil Consulting, LLC, representing Song Swallow, LLC has requested to reduce the entrance to Arbor West Subdivision down to one street access; located at 372 Howser Mill Road (TMP 082 017 and 092B 025 001). Public Hearing Date: Planning Commission on Monday, June 12, 2023.

Chairperson Davis read the zoning amendment and conducted the public hearing. Motion to open the public hearing made by J. Nichols; second by S. Sawyer. Vote carried unanimously in favor.

Planning Director J. Kinley provided the staff analysis report for the variance request to reduce the entrance to Arbor West Subdivision down to one street access.

The following person spoke in favor of the zoning request:

- Bryan Young, 4224 Sweetwater Juno Road, Dawsonville, GA – Mr. Young stated that the International Fire Code (IFC) adopted Appendix D 107.1 as follows “Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be with two separate and approved fire apparatus access roads” and this development only proposes 56 units/lots and would not require the second entrance. The plans for this development were submitted to the Fire Marshal for review and was in compliance with the current IFC code. Mr. Young stated that the surrounding development has only one street access.

The following person spoke in opposition of the request:

- Linda Lockert, 233 River Mill Lane, Dawsonville, GA 30534 – Ms. Lockert stated that her property backs up to the proposed development and she is concerned about the original agreement being upheld. She is not against the second access being eliminated; her concern is the trees’ vegetation not changing on the current agreement that is in place.

Motion to close the public hearing made by A Noggle; second by J. Nichols. Vote carried unanimously in favor. Motion to approve VAR-C2300101 made by A. Noggle; second by J. Nichols. Vote carried unanimously in favor.

8. **ZSP-C2300063:** Atlanta Motorsports Park, LLC (AMP) has petitioned an amendment site plan for eight (8) additional garage condo buildings, 46 second home sites/race cottages, one (1) commercial

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building, a two-sided LED billboard (12' x 32'), upgraded kart track lighting, extension of hours of operation for go-kart track, military and law enforcement training and events after hours without noise, four (4) annual events with open sound limit; increase sound monitor limits; remove ambulance and fire truck conditions for non-racing activity, allow spectators without grandstands, and allow public address system; located at 20 Duck Thurmond Road (TMP 070 049 001). Public Hearing Dates: Planning Commission on Monday, June 12, 2023, and City Council Monday, June 19, 2023. City Council for a decision on July 17, 2023.

Chairperson Davis read the zoning amendment and conducted the public hearing. Motion to open the public hearing made by A. Noggle; second by J. Nichols. Vote carried unanimously in favor.

Planning Director J. Kinley provided the staff analysis report for the proposed site plan amendment.

The following person spoke in favor of the zoning request:

- Joey Homans, 272 Highway 9 South, Dawsonville, GA – Mr. Homans, on behalf of the applicant, stated that this development and project has become a destination for Dawsonville. Mr. Homans asked the people in attendance to stand if they were in favor of the request. Approximately 15 people stood. He stated that according to stipulation number 17 approved by the City Council on April 13, 2009, that any major adjustments, changes, or additions must be approved by the City Council. Mr. Homans addressed each item the applicant is seeking to modify and/or add. He stated that he needs to speak with staff regarding the misunderstanding of the way the cottages/units would not be rented. The cottages/units are sold to members only of the Atlanta Motorsports Park and it would be the decision of the cottages/unit owner whether it would be rented through a VBRO and Airbnb.

Motion to extend the public hearing time by five (5) minutes was made by J. Nichols; second by S. Sawyer. Vote carried unanimously in favor.

- Jeremy Porter, 20 Duck Thurmond Road, Dawsonville, GA – Mr. Porter stated that his intent was to not to be a bad neighbor and asked for sounds that are out of the normal range. The reason for the request for an increase in sound is that the AMP is limited in sound. As Mr. Homans pointed out, Pigeon Forge Amusement Park sound at the property line is 65DB and racetrack's sound limit at the property line is 63DB. The difference is radical and for us to be this quiet is unheard of. Standard vehicles that you see on the roads, like Corvettes, Porsche, etc. are at the sound limits with stock exhausted. Mr. Porter stated that he invited the Planning Commission members and City Council out to the racetrack and asked them to go visit the complainers at their houses. When the Planning Commission Members and/or City Council visited these houses when the go-karts were in operation, they could not hear them being operated. Mr. Porter stated that out of the 57 units that have been built as of today, only three to four will be rented through Airbnb or VBRO. He was hopeful that more condos would be rented. These cottages will be second homes and will be rented by the owners to offset the cost of expense. He stated that the condos already sold, range in price of one million dollars per condo and that brings in tax revenue of \$57 million. He stated that AMP has their own fire suppression, fire and ambulance department, wastewater treatment plant and water system.

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- Gary Coker, Cove Lake Drive, Dawsonville, GA – Mr. Coker stated that he is the President of Central EMS. The company bring about 100 ambulances across the State of Georgia, and they also do 911 systems. He is a member of the Atlanta Motorsport Park and enjoys the racetrack and is a wonderful place to go with the family.

The following people spoke in opposition of the request:

- Renee Duren, 2602 Sweetwater Juno Road, Dawsonville, GA – Ms. Duren stated that she is asking you to table this request base on the following:
 - a) Submit this phase of the project to the Regional Commission as a potential DRI.
 - b) Inconsistencies with the proposed site plan. Some of the items that are on the proposed site plan are not on the letter of intent or the public notice. There are six of them (1) the track extension, (2) modification of turn 15 on the racetrack (3) golf cart path (4) construction staging area and parking lot to be built in the undisturbed sound buffer along Duck Thurmond Road (5) 44 elevated condos near the conference center (6) 29 go-kart garages.
 - c) Sound on letter of intent does not match the planning report and that's important because as we learned in 2017, that's an average on the track operating hours and I would strongly engage a sound engineer.
- Dr. Wes Hamryka, 683 Duck Thurmond Road, Dawsonville, GA – Dr. Hamryka stated that he lives across the street from the racetrack. He asks the commissioners to think about the following:
 - Unlimited sound weekends, the noise, the traffic, and everything the applicant is asking about being next to your home.
 - The new condos will infringe on the undisturbed buffer that has taken 10 years to grow and right across from my property will be a construction entrance that will take all that buffer out.
 - The LED billboard will destroy the character of the area. When the park is not open, it's quiet, dark, and nice.
 - This is a residential area and lighting at the go-kart track will impact the area.
 - Extended hours for go-karts until midnight is unacceptable.
 - The afterhours with no noise limits for Military and Law Enforcement training is a veiled attempt to say we're going to have events after hours.
 - Four (4) Thursday – Sunday events with no sound limits will increase the sound and traffic. They should have to burden a traffic light or roundabout on Hwy. 53.
 - PA system would cause more sounds. We already must hear the racetrack; we don't need the extra sound of a PA system.
- Karl Stalnaker, 135 Duck Thurmond Road, Dawsonville, GA – Mr. Stalnaker stated that he lives directly across the street for the Motorsports Park and the few times they have used a PA system he can hear every word they are saying, whether it's a verbal speech or music. The applicant seems to be wanting more and more since 2017. I hope the Commissioners will consider these requests very carefully.
- Janet Mauldin, 234 Sweetwater Juno Road, Dawsonville, GA – Ms. Mauldin stated that she's tired of the noise and her biggest concern is the water. People's wells are going dry, and she would like the applicant to do a water table study.

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- Doris Adams, 440 High Hopes Farm, Dawsonville, GA – Ms. Adams stated that she lives two miles from the racetrack, and she can hear it. She asks if the AMP pays county taxes or just city taxes. Kevin Tallant, City Attorney stated that the city does not charge taxes at this time.

Motion to close the public hearing made by A Noggle; second by J. Nichols. Vote carried unanimously in favor. Motion to approve ZSP-C2300063 made by A. Noggle; second by J. Nichols. Vote carried unanimously in favor.

Commissioner Noggle asked Mr. Porter if he could provide more information on the sound limits, and what is considered a non-racing activity. Mr. Porter stated he provides the city with reports on the 10th of the month and a non-racing activity is a tv or film movie being filmed. He further stated that it is expensive to have emergency staff for an event where filming is being done due to the speed of the cars don't exceed 45 mph.

Commissioner Sawyer asked Mr. Porter does he employ his own emergency services or are they contracted out? Mr. Porter stated that he did contract emergency services out to a company named Transcare Medical. He stated that what he found was that the amount of money he paid out for these services, he could employ individuals and they would fall under a medical director. He stated that they have a physician on staff, four (4) defibrillators across the site and an ambulance with a crash cart, which is inspected by the state.

Commissioner Noggle asked Mr. Porter was there a limit on the spectators and where they would be located. Mr. Porter stated that the spectators would be along the front straight away and at the club house. There will be barriers installed that would be inspected by the Fire Marshal and the state.

Chairperson Davis asked Mr. Porter regarding the cottages being second homes and purchased. Mr. Porter stated that yes, these cottages will be second homes and if the individual owners wanted to request the unit to be rented through Airbnb and/or VBRO, only about 10 % would be allowed. Commissioner Sawyer asked Planning Director Kinley if this was allowed in the CIR zoning and Mr. Homans stated that his client would follow the city requirements.

Chairperson Davis asked Mr. Porter about the Military and Law Enforcement no noise training and would there be cars on the track. Mr. Porter stated that they have asked them to be a training location without making any noise.

Commissioner Noggle asked Mr. Porter about the current PA system and to extend the go-karts hours. He stated they have a speaker system per code. They repositioned the speaker that was making noise that Mr. Stalnaker previously stated in his comment. All the speakers are placed inward. Mr. Porter also stated that they had a meeting to discuss the noise for the go-karts and those individuals who came to the meeting went to the neighboring properties and sat on their porch and could not hear the rental go-karts. The rental go-karts are designed for indoors and they do not make a lot of noise and we are trying to follow the other businesses that have go-karts rental until 11 p.m. through the weekdays.

Commissioner Sawyer and Commissioner Noggle asked about the billboard sign size and what is the purpose of the sign since the Motorsport Park is members only. Mr. Porter stated that the sign would be around 480 sq ft and that they are looking at additional revenue streams to help offset costs on rainy days.

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Commissioner Noggle asked if Mr. Porter has ever had any EPD reports done. Mr. Porter said yes, absolutely. We have the largest tire reuse project, and the state inspects on a regular basis. Also, we are in compliance with the Coosa Riverkeepers, DNR and Natural Resources Conservation Services. Mr. Homas stated that there has been no violation finding, despite all these investigations. Furthermore, any development that is done at Atlanta Motorsports Park still has to meet all the codes, whether it is at the local, state, or federal level.

Commissioner Sawyer asked Mr. Porter about the traffic control. Mr. Porter stated that when they have kart racing, there's about 140 participants and that they come and go sporadically and there are no traffic issues.

Commissioner Noggle asked Mr. Porter would he be willing to do a sound study and how long it would take. Mr. Porter stated he wasn't sure, maybe 90 – 120 days.

After a discussion between the commissioners and the City's attorney, Commissioner A. Noggle made a motion to table the decision for ZSP C2300063 until further information could be provided by the applicant; second by S. Sawyer. Vote carried unanimously in favor.

PLANNING COMMISSION REPORTS: Next Planning Commission Meeting is Monday, July 10, 2023.

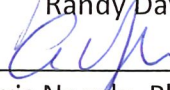
ADJOURNMENT: Motion to adjourn the meeting at 7:18 p.m. made by A. Noggle; second by S. Sawyer. Vote carried unanimously in favor.

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Approved this 10th day of July, 2023



Randy Davis, Commission Chairperson



Alexis Noggle, Planning Commissioner Post 1



Josh Nichols, Planning Commissioner Post 2



Sandy Sawyer, Planning Commissioner Post 3



Anna Tobolski, Planning Commissioner Post 4



Attested: Stacy Harris, Zoning Administrative Assistant