

MINUTES
DALTON-WHITFIELD COUNTY PLANNING COMMISSION
September 28, 2020

MEMBERS PRESENT

Jim Lidderdale, Chairman
John Thomas
Eric Barr
David Pennington IV
Scott DeLay

WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT

Lynn Laughter; Chairperson, Harold Brooker via phone, Roger Crossen, and Barry Robbins

VISITORS PRESENT

Cecil Williams, Zenas and Connie Mastin, Brandon Harrison, Isabel Ochoa Gil, Timothy Heyworth, David Phillips, Octavo Perez, Rickey and Camilla Jeffery, Bryan Spence and others.

STAFF PRESENT

Ethan Calhoun
Jean Price-Garland
Robert Smalley via videoconference

I. GENERAL

A. Call to Order: Chairman Laughter called the meeting to order at 6:02 p.m. and confirmed a quorum of commissioners was present with Commissioner Jones Absent. Chairman Lidderdale confirmed a quorum of members was present with Jody McClurg absent.

B. Minutes: Chairman Lidderdale sought a motion to approve or correct the August 24, 2020 meeting minutes. Mr. Pennington made the motion to accept the minutes as written and his motion was seconded by Mr. Barr which then passed unanimously 4-0.

Mr. Calhoun gave a brief overview of the meeting procedures and stated that final action would likely occur during the regular October meetings of the Whitfield County Board of Commissioners and City of Dalton Mayor and Council meeting.

II. REZONING PUBLIC HEARINGS

A. Heard the request of Cecil Williams to rezone from General Agricultural (GA) to Rural Residential (R-5) a tract of land totaling 24.74 acres located at 1919 E. Emerson Road, Cohutta, Georgia. Parcel (10-034-07-000)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested R-5 Rezoning Commissioner Crossen asked Calhoun if the entire 24.7 acres was to be rezoned, or just the small tract proposed for the manufactured home. Calhoun stated that staff were recommending the entire 24.7 acres in order to keep the R-5 zone district consistent rather than create an island of R-5 at that location There were no further questions for Calhoun.

Cecil Williams stated that the staff analysis accurately described his request and plan to divide a small portion of his property for the manufactured home. Williams then stated that he had been renting the manufactured dwelling to a tenant who wishes to purchase the property and dwelling.

With no further comments heard for or against this hearing closed at approximately 6:12pm.

B. Heard the request of Zenas and Connie Mastin to rezone from General Commercial (C-2) to High Density Residential (R-7) a tract of land totaling 1.18 acres located at 2215 Cleveland Highway, Dalton, Georgia. Parcel (12-103-11-000)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested R-7 rezoning. Chairman Laughter confirmed with Calhoun that 1.8 acres would be sufficient enough space for the proposed condominium development. There were no further questions for Mr. Calhoun.

Zenas Mastin noted the long-term ownership of the subject property with his wife. He also stated that he and his wife own the northern adjacent tract that contains his wife's business. Mastin mentioned that he and his wife had been working with surveyors to create a site design for the proposed development in order to determine the amount of units and parking in relation to open space and setbacks. Mastin also stated that he has confirmed sewer costs for connecting to the sewer line. He went on to clarify that the proposed condos would be 2-story units with deed covenants related to maintenance and upkeep of the development. Mastin did note the stormwater and parking requirements limit the number of units achievable on the property, but he stated that the proposed development would create attractive workforce housing in an area accustomed to multi-family housing development. Mastin continued to note that the proposed development would be a phase one plan with the possibility for expanding onto their other adjacent tract if phase one is successful. Some discussion prompted by Chairman Laughter resulted in the understanding that a sewer extension would occur but that the sewer lines are very close and will not require crossing Cleveland Hwy.

With no other comments heard for or against this hearing closed at approximately 6:28pm.

C. Heard the request of Crow Road Holdings to rezone from General Agriculture (GA) to Low Density Single Family Residential (R-2) a tract of land totaling 27.50 +/- acres located at Reed Road/Lake Kathy Road, Dalton, Georgia. Parcel (11-258-01-000)

Mr. Calhoun summarized the staff analysis, which was in favor of the R-2 rezoning with the condition of limiting access to Lake Kathy Road only.

Brandon Harrison stated that if access points are not granted for Reed Road then he would not pursue the development of the subject property. Harrison stated that sight visibility improved along the northern portion of the subject property in regard to road access along Reed Road. He went on to note that there is a crest along Reed Road where sight distance is sufficient, and Harrison stated that an employee of the Whitfield County Public Works visited the subject property and that individual indicated that the visibility would be sufficient for driveway access points along Reed Road. Commissioner Crossen stated that he is quite familiar with the area and the limited sight distance, but also stated that visibility is better towards the northern portion of the subject property. Some discussion occurred in regard to the 35-mph speed limit along this portion of Reed Road. Some discussion also occurred regarding conflicting conversations with County officials as to the suitability of creating driveways to access Reed Road. Crossen confirmed with Harrison that he would, in fact, abandon the proposed development if access points are not granted along Reed Road. Chairman Laughter asked for the number of lots expected to be created on the subject property to which Harrison stated approximately 12 new lots. Harrison stated that driveways could be shared in this development similar to the driveways along his current development along Crow Road. Crossen confirmed with Harrison would limit the proposed driveways to access the northern portion of Reed Road where visibility is improved. Scott DeLay confirmed with Staff that other County departments would be in charge of approving any new driveways if this rezoning is approved.

Haley Weeks, an adjacent neighbor across Reed Road, stated that she was not opposed to the proposed rezoning and development, but that she would be concerned for public safety related to the previously discussed limited sight along Reed Road. She stated that cars often travel in excess of the posted 35-mph speed limit along this portion of Reed Road and that she believed driveways should be limited along Reed Road. Crossen asked Weeks if she would still be concerned if driveways were limited to

the northern portion of the subject property along Reed Road to which Weeks stated that visibility is still poor when facing south along Reed Road along the northern portion of the subject property. Some discussion occurred noting the multiple driveways on the east R/W of Reed Road adjacent to the northern portion of the subject property.

Harrison restated that the visibility to the north and south along Reed Road is sufficient at the elevated portion of the subject property.

With no other comments heard for or against this hearing closed at approximately 6:55pm.

D. Heard the request of Isabel Ochoa Gil to rezone from Rural Residential (R-5) to Neighborhood Commercial (C-1) a tract of land totaling 0.34 acres located at 2605 Old Grade Road, Dalton, Georgia. Parcel (12-243-01-185)

Mr. Calhoun summarized the staff analysis, which was in favor of the C-1 rezoning. Chairman Laughter asked Calhoun how many parking spaces would be required for a food truck at this location to which Calhoun stated that the minimum would likely be five parking spaces depending on the size of the food truck. Laughter also confirmed with Calhoun that a buffer would be required by ordinance if the C-1 rezoning is approved for the adjacent residential tracts. Calhoun clarified that the buffer is required to restrict sight from a minimum of 6-feet from the ground level and that much of the existing vegetation consisted of mature trees so it would be likely that a fence or more plantings would be necessary in order to satisfy the buffer ordinance.

Isabel Ochoa noted the former manufactured home on the subject property and its prior removal. Chairman Lidderdale confirmed with the Ochoas that they understood the need for a buffer. Commissioner Brooker confirmed with the Ochoas that no alcoholic beverages, beer, or wine, would be served from the food truck. Brooker noted the nearby church in regard to the County's alcohol ordinance.

With no other comments heard for or against this hearing closed at approximately 7:08pm.

E. Heard the request of Timothy and Kimberly Heyworth to rezone from Suburban Agricultural (SA) to Rural Residential (R-5) a tract of land totaling 3.82 acres located at 170 Willowbrook Way, Cohutta, Georgia. Parcel (11-174-03-000)

Mr. Calhoun summarized the staff analysis, which was in favor of the R-5 rezoning. Commissioner Crossen confirmed with staff that Willowbrook Way is a private drive rather than a County road. There were no further questions for Mr. Calhoun.

Timothy Heyworth stated that their intent is to construct a new single-family dwelling on the subject property so that it may occupy its own parcel where a former manufactured home once stood. Heyworth noted their intention to demolish the aging manufactured home to the rear of the subject property, but he stated that the manufactured home was currently used for storage only.

With no other comments heard for or against this hearing closed at approximately 7:15pm.

F. Heard the request of David Phillips to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 7.99 acres located at 2415 S. Dixie Highway, Dalton, Georgia. Parcel (12-334-06-000)

Mr. Calhoun summarized the staff analysis, which was in favor of the C-2 rezoning. Chairman Laughter confirmed with Calhoun that a buffer along the residential boundaries would be required by ordinance if the C-2 rezoning is approved. There were no further questions for Mr. Calhoun.

David Phillips confirmed that the storage would be outdoors for various things from trailers, boats, R/Vs and other related things. Phillips notes existing access to S. Dixie Hwy. will be the preferred access to the subject property.

Eva Cox, a neighbor adjacent to the north, stated that she was not opposed to the rezoning or the proposed development, but that she was very concerned about the stormwater runoff. Cox continued to describe longstanding issues regarding stormwater drainage along Cox Road. After some discussion it was determined that a County public works official would be sent out to inspect Cox Road and determine if a larger drain culvert would be needed. Cox's concern was that the proposed development

would increase stormwater runoff once the trees are cleared from the subject property, so she wanted to request improvement to the culvert to prevent clogging during significant rain events. Commissioner Crossen stated that the matter of the drainage culverts would be directed to DeWayne Hunt. With no other comments heard for or against this hearing closed at approximately 7:30pm.

G. Heard the request of Rickey and Camilla Jeffery to rezone from Rural Residential (R-5) to General Agriculture (GA) a tract of land totaling 9.74 acres located at 4720 Mitchell Bridge Road, Dalton, Georgia. Parcel (09-147-07-000)

Mr. Calhoun summarized the staff analysis, which was in favor of the GA rezoning. There were no further questions for Calhoun.

Rickey Jeffrey stated that the second manufactured home would be added to their property as a rental home in order to create income to pay for their mortgage. Jeffrey also added that there was no interest or intent to have any type of animal husbandry on the subject property.

With no other comments heard for or against this hearing closed at approximately 7:38pm.

H. Heard the request of Bryan Spence to rezone from Low Density Single Family Residential (R-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 1.56 acres located at Chattanooga Avenue and Chenille Drive, Dalton, Georgia. Parcel (12-182-19-000)

Mr. Calhoun summarized the staff analysis, which was not in favor of the R-3 rezoning. Calhoun clarified that there were no issues found in regard to any factors in the staff analysis with the exception of the need for alleyway access and R/W donation as well as staff concerns regarding the flood zone and its long-term effect on the prospective lots.

Bryan Spence stated that in order for any development on the subject property to be profitable, there would need to be more density than permitted in the current R-2 zone district. Spence stated that he had documentation showing that the flood plain encroaches less than shown on the FEMA maps and County GIS maps. Chairman Lidderdale did confirm with Spence that, at least, one of the seven prospective tracts would be almost entirely blanketed by said flood plain. Spence then stated that he would only be able to develop three tracts as the property is currently zoned, and he continued to state that three tracts currently permitted in R-2 would not create the necessary return on investment he would need in order to proceed.

With no other comments heard for or against this hearing closed at approximately 7:55pm.

III. REGULAR MEETING

A. Recommendation regarding the request of Cecil Williams to rezone from General Agricultural (GA) to Rural Residential (R-5) a tract of land totaling 24.74 acres located at 1919 E. Emerson Road, Cohutta, Georgia. Parcel (10-034-07-000)

Chairman Lidderdale sought a motion on the proposed R-5 rezoning. **Mr. Thomas then made a motion to recommend the R-5 rezoning based on his agreement with the content of the staff analysis. Mr. Pennington seconded the motion and a unanimous recommendation to approve the R-5 rezoning followed, 4-0.**

B. Recommendation regarding the request of Zenas and Connie Mastin to rezone from General Commercial (C-2) to High Density Residential (R-7) a tract of land totaling 1.18 acres located at 2215 Cleveland Highway, Dalton, Georgia. Parcel (12-103-11-000)

Chairman Lidderdale sought a motion on the proposed R-7 rezoning. **Mr. DeLay then made a motion to recommend an approval of the R-7 rezoning based on his agreement with the staff analysis. Mr. Barr seconded the motion and a recommendation to approve an R-7 rezoning followed, 4-0.**

- C. Recommendation regarding the request of Crow Road Holdings to rezone from General Agriculture (GA) to Low Density Single Family Residential (R-2) a tract of land totaling 27.50 +/- acres located at Reed Road/Lake Kathy Road, Dalton, Georgia. Parcel (11-258-01-000)**
Chairman Lidderdale sought a motion on the requested R-2 rezoning. **Mr. DeLay then made a motion to recommend the R-2 rezoning based on his agreement with the content of the staff analysis and stated that his recommendation was also based on the understanding that other County departments would be responsible for determining if access to Reed Road could be accommodated safely. Mr. Thomas then seconded the motion and a unanimous recommendation to approve the R-2 rezoning followed, 4-0.**
- D. Recommendation regarding the request of Isabel Ochoa Gil to rezone from Rural Residential (R-5) to Neighborhood Commercial (C-1) a tract of land totaling 0.34 acres located at 2605 Old Grade Road, Dalton, Georgia. Parcel (12-243-01-185)**
Chairman Lidderdale sought a motion on the requested C-1 rezoning. **Mr. Pennington then made a motion to recommend the GA rezoning based on his agreement with the content of the staff analysis. Mr. DeLay then seconded the motion and a unanimous recommendation to approve the C-1 rezoning followed, 4-0.**
- E. Recommendation regarding the request of Timothy and Kimberly Heyworth to rezone from Suburban Agricultural (SA) to Rural Residential (R-5) a tract of land totaling 3.82 acres located at 170 Willowbrook Way, Cohutta, Georgia. Parcel (11-174-03-000)**
Chairman Lidderdale sought a motion on the requested R-5 rezoning. **Mr. DeLay then made a motion to recommend the R-5 rezoning based on his agreement with the content of the staff analysis. Mr. Barr then seconded the motion and a unanimous recommendation to approve the R-5 rezoning followed, 4-0.**
- F. Recommendation regarding the request of David Phillips to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 7.99 acres located at 2415 S. Dixie Highway, Dalton, Georgia. Parcel (12-334-06-000)**
Chairman Lidderdale sought a motion on the requested C-2 rezoning. **Mr. Thomas then made a motion to recommend the C-2 rezoning based on his agreement with the content of the staff analysis. Mr. Pennington then seconded the motion and a unanimous recommendation to approve the C-2 rezoning followed, 4-0.**
- G. Recommendation regarding the request of Rickey and Camilla Jeffery to rezone from Rural Residential (R-5) to General Agriculture (GA) a tract of land totaling 9.74 acres located at 4720 Mitchell Bridge Road, Dalton, Georgia. Parcel (09-147-07-000)**
Chairman Lidderdale sought a motion on the requested GA rezoning. **Mr. DeLay then made a motion to recommend the GA rezoning based on his agreement with the content of the staff analysis and stated that his recommendation included the condition cited within the staff analysis regarding no animal husbandry be permitted on the subject property. Mr. Barr then seconded the motion and a unanimous recommendation to approve the GA rezoning with conditions followed, 4-0.**
- H. Recommendation regarding the request of Bryan Spence to rezone from Low Density Single Family Residential (R-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 1.56 acres located at Chattanooga Avenue and Chenille Drive, Dalton, Georgia. Parcel (12-182-19-000)**
Chairman Lidderdale sought a motion on the requested R-3 rezoning. **Mr. Thomas then made a motion to recommend the R-3 rezoning. Mr. Pennington then seconded the motion and a unanimous recommendation to approve the R-3 rezoning followed, 4-0.**

I. Other Business

IV. ADJOURNMENT

With no other business scheduled, the meeting adjourned at approximately 8:01 p.m.

Respectfully submitted,

Ethan Calhoun
Secretary