

MINUTES
DALTON-WHITFIELD COUNTY PLANNING COMMISSION
March 22, 2021

MEMBERS PRESENT

Jim Lidderdale, Chairman
John Thomas
David Pennington
Eric Barr
Jody McClurg

WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT

Jevin Jensen, Chairman
Barry Robbins, Vice Chairman
Greg Jones

VISITORS PRESENT VIA VIDEO CONFERENCE

David Phillips, Kyle Hudson, Johnny and Anna Bryant, Jon McKnight, Ralph Morgan, Mike Brown, Jason Parker, George Woodward, Pamela Cudd, Joel Banda, Shane Day, and others.

STAFF PRESENT

Ethan Calhoun
Jean Price-Garland
Robert Smalley
Mark Gibson

I. GENERAL

A. Call to Order: Chairman Jensen called the meeting to order at 6:00 p.m. and confirmed a quorum of commissioners was present with Commissioner Staten absent, and Jensen then turned the meeting over to Chairman Lidderdale who confirmed a quorum of planning commissioners was present with Scott DeLay absent.

B. Minutes: Chairman Lidderdale sought a motion to approve or correct the February 22, 2021 meeting minutes. Mr. Thomas made the motion to accept the minutes as written and his motion was seconded by Ms. McClurg which then passed unanimously 4-0.

Mr. Calhoun summarized the public hearing procedures and clarified that final action regarding the rezoning matters would likely occur during the April meetings of the Whitfield County Board of Commissioners and Mayor and Council meetings for the cities of Dalton and Varnell.

II. REZONING PUBLIC HEARINGS

A. Heard the request of David Phillips to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 1.99 acres located at 196 Sporting Way, Dalton, Georgia. Parcel (12-334-01-001) (County)

Mr. Calhoun summarized the staff analysis, which was in favor of the requested C-2 rezoning. There were no further questions for Calhoun.

David Phillips affirmed the staff analysis covered the need for the rezoning. Lidderdale confirmed with Phillips that the proposed access would be along Sporting Way rather than S. Dixie Highway. Phillips acknowledged that he will be required to ensure a buffer exists along the subject property's eastern

border.

With no other comments heard for or against, this hearing closed at approximately 6:11pm.

B. Heard the request of Kyle Hudson to rezone from Low Density Single Family Residential (R-2) to High Density Residential (R-7) a tract of land totaling 0.6 acres located at Goodwill Drive, Dalton, Georgia. Parcel (12-241-09-011) (County)

Mr. Calhoun summarized the staff analysis, which was in favor of the R-7 rezoning. There were no further questions for Calhoun.

Chairman Lidderdale asked if Mr. Hudson had anything to say in addition to the staff analysis, and Hudson made no additional comments.

With no other comments heard for or against, this hearing closed at approximately 6:16pm.

C. Heard the request of Anna Bryant to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 1.56 acres located at 502 Lafayette Road, Rocky Face, Georgia. Parcel (27-163-01-037) (County)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested C-2 rezoning. Some discussion occurred among the Planning Commission, Board of Commissioners, and staff that resulted in the understanding that there would be no other way to satisfy the needs of the petitioner than a C-2 rezoning. There were no further questions for Calhoun. Johnny Bryant stated that he has been a lifelong mason and that he began construction of the accessory structure in order to store his masonry equipment indoors. Lidderdale confirmed that Bryant lived on the subject property. Bryant stated that he had been storing his tools and scaffolding on the subject property, but Bryant stated that wanted to build an enclosed structure to store them in order to improve the appearance of his property. Mr. Thomas asked Calhoun if conditions could be placed on the C-2 rezoning to limit other commercial uses. Calhoun answered Thomas by stating that conditions can certainly be applied to the rezoning to limit uses but they are difficult to enforce in the long-term. Thomas then stated that he felt as though the subject property should remain R-5, and Thomas asked Calhoun if there were any means by which a variance could be given for Bryant to complete the structure and store his equipment without a rezoning. Both Calhoun and Price-Garland confirmed that Bryant would not be allowed to store equipment for his business in the accessory structure based on the UZO's current language. Further discussion occurred that resulted in the understanding that rezoning the subject property C-2 would mean that the single-family dwelling would become non-conforming and that a future buyer would not be able to obtain a mortgage. The Planning Commission and Board of Commissioners were visibly stressed in trying to accommodate Bryant's needs without creating unintended long-term consequences. Ms. McClurg stated that many individuals have become based out of their home or property since the pandemic, and Price-Garland noted that the UZO does have a home occupation section to permit home offices and other such home occupations. Price-Garland clarified that the needs of the petitioner would not qualify for the home occupation permit. Price-Garland stated that the C-2 rezoning is the only existing method within the UZO to accommodate the needs of the petitioner.

With no other comments heard for or against, this hearing closed at approximately 6:33pm.

D. Heard the request of Piedmont Housing Group/Jon McKnight to rezone from General Commercial (C-2) to High Density Residential (R-7) a tract of land totaling 6.08 acres located in Varnell, Georgia. Parcel (11-228-01-006) (Varnell)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested R-7 rezoning. There were no further questions for Calhoun.

Jon McKnight stated that the staff analysis accurately described the plans for the proposed senior facility. McKnight then stated that the proposed buildings would be single-story and be restricted to only residents are 55+, and McKnight went on to state that only premium materials would be used in the exterior construction of the buildings such that no vinyl siding would be used. Mr. Thomas asked McKnight if the units would be condominiums or strictly rented units. McKnight confirmed that the

proposed units would be apartments and not condos. Thomas then asked McKnight how many total units were proposed to which McKnight stated 48 total units. McKnight elaborated by stating that there were 38 two-bedroom units planned with 10 one-bedroom units. Thomas asked McKnight how many parking spaces were planned to which McKnight stated 72 parking spaces. Thomas then asked McKnight what the proposed timeline for the project would be to which McKnight stated the proposed construction timeline would be 2022-2023. Some discussion occurred that resulted in McKnight confirming that there would be strict restrictions for residents to be 55+ as well as appropriate stormwater infrastructure to prevent runoff.

With no other comments heard for or against, this hearing closed at approximately 6:44pm.

E. Heard the request of City of Refuge to rezone from Heavy Manufacturing (M-2) to Mixed Use (MU) a tract of land totaling 2.13 acres located at 416 S. Glenwood Avenue, Dalton, Georgia. Parcel (12-238-17-001) (City)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested MU rezoning. Calhoun clarified that the MU zone district was unique and would be approved based on a site plan unlike most typical rezonings. Ms. McClurg asked Calhoun if there were any examples of other MU districts in the City to which Calhoun stated that the Crown Mill Village was an existing MU district in the City. There were no further questions for Calhoun.

Pamela Cudd stated that the proposal for the MU district was in order to add 8 loft apartments to the existing programs and offices within the existing structure. Cudd stated the request to add the apartments was in response to the City's housing plan and need for greater residential opportunities in the downtown area. Chairman Lidderdale confirmed with Cudd that the proposed apartment units would be for lease as an income generator for the nonprofit rather than the petitioner's proposal for a homeless facility a few years prior. Lidderdale then inquired the size of the proposed apartment units and Cudd stated that they would be approximately 1,000SF each depending upon limitations of the historic building. Some discussion occurred that resulted in the understanding that he proposed apartment units would have windows facing E. Morris St. Lidderdale then confirmed with Cudd that the former concern with oiled wooden floors had been resolved by the Fire Marshal. It was noted that the Fire Marshal had inspected and was in favor of the proposed building improvements. Mr. Thomas inquired the amount of one vs two bedroom, units to which Cudd stated there would be a mix of some one-bedroom and some two-bedroom units. Lidderdale confirmed with Cudd that the apartments would have separate entrances from the rest of the uses in the building.

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

F. Heard the request of Joel Banda to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 0.23 acres located at 303 Goodwill Drive, Dalton, Georgia. Parcel (12-216-01-003) (City)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested R-5 rezoning. There were no further questions for Calhoun.

Banda stated that the property had been improved and that he wished to sell, but the buyers would not be able to obtain a mortgage as it is currently zoned.

With no other comments heard for or against, this hearing closed at approximately 7:14pm.

III. REGULAR MEETING

A. Recommendation regarding the request of David Phillips to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 1.99 acres located at 196 Sporting Way, Dalton, Georgia. Parcel (12-334-01-001) (County)

Chairman Lidderdale sought a motion on the proposed C-2 rezoning. Jody McClurg then made a motion to recommend the C-2 rezoning based on her agreement with the content of the staff analysis. Eric Barr seconded the motion and a unanimous recommendation to approve the C-2 rezoning followed, 4-0.

B. Recommendation regarding the request of Kyle Hudson to rezone from Low Density Single Family Residential (R-2) to High Density Residential (R-7) a tract of land totaling 0.6 acres located at Goodwill Drive, Dalton, Georgia. Parcel (12-241-09-011) (County)

Chairman Lidderdale sought a motion on the proposed R-7 rezoning. **John Thomas then made a motion to recommend approval of the R-7 rezoning. Jody McClurg seconded the motion and a unanimous recommendation to approve the R-7 rezoning followed, 4-0.**

C. Recommendation regarding the request of Anna Bryant to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 1.56 acres located at 502 Lafayette Road, Rocky Face, Georgia. Parcel (27-163-01-037) (County)

Chairman Lidderdale sought a motion on the requested C-2 rezoning. David Pennington asked Ms. Price-Garland if the petitioner were storing a recreational vehicle in the accessory structure would it be dealt with differently. Price-Garland stated that the petitioner could apply for a variance if the structure were used to store non-commercial items. Chairman Lidderdale asked Ethan Calhoun if the petitioner could be granted a variance in R-5 to store his equipment in the accessory structure to which Calhoun replied that a variance on the use of the property would not be an option. John Thomas stated that he felt as though the subject property should remain zoned R-5, but Thomas then stated he believed the needs of the petitioner should be able to be satisfied in the R-5 zone as long as the masonry tools were stored in doors. Thomas then asked staff if an exception could be made in R-5 to allow the storage of the petitioner's tools and equipment in R-5 to which the staff replied that would not be an option in the zoning ordinance as it stands. Lidderdale asked Bryant how far the accessory structure is from their house to which Bryant replied approximately 100.' **David Pennington then made a motion to recommend a denial of the C-2 rezoning based on his agreement with the content of the staff analysis noting the enlargement of a spot zone. Eric Barr then seconded the motion and a recommendation to deny the C-2 rezoning followed, 3-1 with John Thomas voting nay.**

D. Recommendation regarding the request of Piedmont Housing Group/Jon McKnight to rezone from General Commercial (C-2) to High Density Residential (R-7) a tract of land totaling 6.08 acres located in Varnell, Georgia. Parcel (11-228-01-006) (Varnell)

Chairman Lidderdale sought a motion on the requested R-7 rezoning. **John Thomas then made a motion to recommend the R-7 rezoning. David Pennington then seconded the motion and a unanimous recommendation to approve the R-7 rezoning followed, 4-0.**

E. Recommendation regarding the request of City of Refuge to rezone from Heavy Manufacturing (M-2) to Mixed Use (MU) a tract of land totaling 2.13 acres located at 416 S. Glenwood Avenue, Dalton, Georgia. Parcel (12-238-17-001) (City)

Chairman Lidderdale sought a motion on the requested MU rezoning. Lidderdale then proposed discussion to determine if a condition needed to be placed on the proposed loft apartments requiring minimum lease periods of a specific amount of time. It was determined that minimum lease thresholds would not be necessary. **Jody McClurg then made a motion to recommend the MU rezoning based on her agreement with the content of the staff analysis. John Thomas then seconded the motion and a unanimous recommendation to approve the MU rezoning followed, 4-0.**

F. Recommendation regarding the request of Joel Banda to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 0.23 acres located at 303 Goodwill Drive, Dalton, Georgia. Parcel (12-216-01-003) (City)

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

G. Preliminary Plat Flag Lot Review- Ridley

Jean Price-Garland oriented the Planning Commission to the subject property along Riverdale Road. Price-Garland stated that the petitioner allowed a portion of property to be used by his brother via the family easement exemption. Price-Garland stated that he petitioner now wishes to create an official division of the lots to ensure his brother will have no issues in the event the petitioner is to pass. Price-Garland then stated that the petitioner had proposed the 25' street access variance to the Board of Zoning Appeals, which they approved earlier in March. Jody McClurg asked the Mr. Ridley to clarify which driveway belonged to his brother. Ridley went on to clarify that he wanted to resolve the division of property in order to make his estate easier to execute for his children upon his eventual passing. Chairman Lidderdale then sought a motion on the proposed plat. **John Thomas made a motion to approve the plat as presented. David Pennington then seconded the motion and a unanimous recommendation to approve the flag lot followed, 4-0.**

IV. ADJOURNMENT

With no other business scheduled, the meeting adjourned at approximately 7:43 p.m.

Respectfully submitted,

Ethan Calhoun
Secretary