

MINUTES
DALTON-WHITFIELD COUNTY PLANNING COMMISSION
JUNE 28, 2021

MEMBERS PRESENT

Jim Lidderdale, Chairman
Chris Shiflett
David Pennington
Jody McClurg
Scott DeLay

WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT

Jevin Jensen, Chairman
Barry Robbins, Vice Chairman
Greg Jones
Robby Staten
John Thomas

VISITORS PRESENT VIA VIDEO CONFERENCE

Melanie Carter, Nick Conner, Amin Ali, Michael Roberts, Nena White, Tracy Ward, Thomas Warren, Harold Goforth, Bill Jackson, Jose Morales, Brandon Harrison, and others.

STAFF PRESENT

Ethan Calhoun
Jean Price-Garland
Robert Smalley

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 no absences, and Jensen then turned the meeting over to Chairman Lidderdale who confirmed a quorum of planning commissioners was present with Eric Barr absent.

B. **Minutes:** Chairman Lidderdale sought a motion to approve or correct the March 22, 2021 meeting minutes. Mr. Pennington 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 July 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 Charles H. Carter and Melanie G. Carter to rezone from General Commercial (C-2) to Low Density Single Family Residential (R-2) a tract of land totaling 3.00 acres located on Lower Dug Road, Dalton, Georgia. Parcel (13-008-15-000)**

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

Melanie Carter stated that their intent was to construct a house on the subject property, and Carter went on to state that they had begun preliminary grading on the property in order to solve drainage issues. Lidderdale confirmed with Carter that no building permits had been issued, and Chris Shiflett asked

Carter if she or her husband had obtained a soil disturbance permit of which Carter was unsure. With no other comments heard for or against, this hearing closed at approximately 6:12pm.

B. Heard the request of Nick Conner to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 3.74 acres located 4342 Cleveland Highway, Dalton, Georgia. Parcel (11-192-01-002)

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

Nick Conner made no additions to the staff analysis. Lidderdale asked Conner what the existing use for the subject property was to which Conner stated the existing business was primarily for automobile detailing and sales.

With no other comments heard for or against, this hearing closed at approximately 6:17pm.

C. Heard the request of Knight and Marshall LLC to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 1.52 acres located at 2716 S. Dixie Highway, Dalton, Georgia. Parcel (13-009-38-000)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was not in favor of the requested C-2 rezoning and recommended a C-1 rezoning instead. Chairman Jensen then confirmed with Calhoun that a C-1 rezoning would not require a second public hearing since C-1 was of a lesser intensity than the requested C-2. There were no further questions for Calhoun.

Amin Ali stated that his desire is to demolish the existing blighted dwelling on the subject property and construct two new commercial buildings as shown on the submitted site plan.

With no other comments heard for or against, this hearing closed at approximately 6:24pm.

D. Heard the request of Michael Roberts for a special use for a farm winery on a tract of land totaling 7.8 acres located at 1610 Beaverville Road, NE, Dalton, Georgia. Parcel (10-254-13-000)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested Farm Winery Special Use Permit. There were no further questions for Calhoun.

Michael Roberts noted a letter of support from Representative Casey Carpenter as well as some articles he brought in regard to the positive impact of agritourism. Chairman Lidderdale asked Roberts if he would see a need to expand to which Roberts stated that the existing barn and property more than suit his needs. Commissioner Robbins confirmed with Roberts that grape vines had already been planted on the subject property, but Roberts went on to state that it will not be likely that he will be able to harvest grapes to make wine this season due to the approval process for the permitting. Roberts also stated that he had received his state licensing. Robbins then confirmed with Roberts that there is sufficient room for parking on the subject property. Chairman Jensen asked Roberts if he had produced wine commercially in the past to which Roberts stated that he had never produced wine on a commercial scale but that he had been making wine for 45-years.

With no other comments heard for or against, this hearing closed at approximately 6:38pm.

E. Heard the request of Nena White to rezone from General Agricultural (GA) to Rural Residential (R-5) a tract of land totaling 5.92 acres located at 660 Fennell Drive, Resaca, Georgia. Parcel (13-225-10-000)

Mr. Calhoun summarized the staff analysis, which was in favor of the requested R-5 rezoning. There were no further questions for Calhoun.

Nena White stated that the need for the rezoning was in order to divide a portion of the subject property for her two sons. White noted long-term ownership of the subject property as well as family-owned adjacent properties as well

With no other comments heard for or against, this hearing closed at approximately 6:47pm.

F. Heard the Unified Zoning Ordinance- Proposed Text Amendments for Accessory

Structures, Townhouses, Procedures regarding rezoning withdrawals, Small Animals, and microbreweries.

Mr. Calhoun summarized the staff analysis which was in favor of the text amendments to the UZO. There were no further questions for Calhoun.

Brandon Harrison inquired if the 7100-pound limit on commercial vehicles was intended to include 1-ton trucks since they can weigh up to 10,000 pounds. Some discussion occurred that resulted in the Planning Commission and staff agreeing to look into increasing the commercial vehicle weight to ensure it would permit 1-ton trucks.

With no other comments heard for or against, this hearing closed at approximately 7:00pm.

G. Heard the request of Norwood Et Al for a tract of land totaling 2.0 acres located at 2100 Cleveland Highway, Dalton, Georgia. To be annexed into the City of Dalton. Parcel (12-126-06-001)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested annexation into the City of Dalton. There were no further questions for Calhoun.

Tracy Ward, the petitioner's attorney, stated the owner's desire to construct a 6,000-8,000SF structure for package alcohol sales. Ward then stated that access to Cleveland Hwy. is not feasible due to the GDOT requirement for a decell lane, and Ward clarified that access to Beulah Dr. would be necessary in order for any business to operate on the subject property. Ward stated that the nature of the proposed business does not create concern for significant trip generation as compared to the many other uses permitted within the C-2 zone district.

Thomas Warren, a nearby neighbor, stated his opposition to the annexation based on his concern for traffic generation as well as the threat of intoxicated drivers endangering the safety of his neighborhood. Harold Goforth, a nearby neighbor, mirrored Warren's remarks regarding traffic as well as a general opposition to alcohol sales at this location. Goforth then stated that the traffic conditions are already concerning at the Beulah Dr. and Cleveland Hwy. intersection and that this would only worsen the existing issue.

Bill Jackson, another nearby neighbor, agreed with the remarks of Warren and Goforth regarding traffic concerns and a strong opposition to the sale of alcohol at this location. Other members of the audience made affirming remarks or gestures in agreeance with Jackson's final remarks opposing the annexation and sale of alcohol.

Ward rebutted by simply noting the many other commercial uses already permitted on the subject property that would generate as much or more traffic.

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

H. Heard the request of Jose Morales to rezone from Heavy Manufacturing (M-2) to General Commercial (C-2) a tract of land totaling 0.40 acres located at 716-720 N. Hamilton Street/E. Long Street, Dalton, Georgia. Parcels (12-200-17-004, 12-200-17-006, 12-200-200-007)

Mr. Calhoun summarized the staff analysis, which was not in favor of the requested C-2 rezoning and then recommended a C-1 rezoning. There were no further questions for Calhoun.

Jose Morales stated his intent to redevelop the subject property as an effort to revitalize this area as part of the Crown Mill district. Morales did not specify specific design ideas nor specific business plans, but Morales stated that a commercial zone district would offer more opportunity for the subject property than manufacturing. Morales went on to note the several restaurants and commercial businesses in the immediate proximity of the subject property and that something such as a coffee shop may be a potential use of the subject property. Chairman Lidderdale confirmed with Morales that he would be satisfied with a C-1 rezoning as opposed to the C-2 that had been requested.

With no other comments heard for or against, this hearing closed at approximately 7:27pm.

I. Heard the request of Salvador Loa to rezone from Heavy Manufacturing (M-2) to Neighborhood Commercial (C-1) a tract of land totaling 1.0 acres located at 1105 Riverbend

Drive, Dalton, Georgia. Parcel (12-255-03-046)

Chairman Lidderdale stated that the Loa Rezoning petition had been withdrawn by the petitioner prior to the public hearing and that there would be no further action regarding this item.

III. REGULAR MEETING

A. Recommendation regarding the request of Charles H. Carter and Melanie G. Carter to rezone from General Commercial (C-2) to Low Density Single Family Residential (R-2) a tract of land totaling 3.00 acres located on Lower Dug Road, Dalton, Georgia. Parcel (13-008-15-000)

Chairman Lidderdale sought a motion on the proposed R-2 rezoning. **Scott DeLay then made a motion to recommend the R-2 rezoning based on his agreement with the content of the staff analysis. Jody McClurg seconded the motion and a unanimous recommendation to approve the R-2 rezoning followed, 4-0.**

B. Recommendation regarding the request of Nick Conner to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 3.74 acres located 4342 Cleveland Highway, Dalton, Georgia. Parcel (11-192-01-002)

Chairman Lidderdale sought a motion on the proposed C-2 rezoning. **David Pennington then made a motion to recommend approval of the C-2 rezoning. Scott DeLay seconded the motion and a unanimous recommendation to approve the C-2 rezoning followed, 4-0.**

C. Recommendation regarding the request of Knight and Marshall LLC to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 1.52 acres located at 2716 S. Dixie Highway, Dalton, Georgia. Parcel (13-009-38-000)

Chairman Lidderdale sought a motion on the requested C-2 rezoning. Chris Shiflett recused himself from the vote and exited the chambers. **Scott DeLay then made a motion to recommend a C-1 rezoning based on his agreement with the content of the staff analysis. David Pennington then seconded the motion and a recommendation to approve a C-1 rezoning followed, 3-0.**

D. Recommendation regarding the request of Michael Roberts for a special use for a farm winery on a tract of land totaling 7.8 acres located at 1610 Beaverdale Road, NE, Dalton, Georgia. Parcel (10-254-13-000)

Chairman Lidderdale sought a motion on the requested Special Use Permit. **David Pennington then made a motion to recommend the Special Use Permit for a Farm Winery. Scott DeLay then seconded the motion and a unanimous recommendation to approve the Special Use Permit for a Farm Winery followed, 4-0.**

E. Recommendation regarding the request of Nena White to rezone from General Agricultural (GA) to Rural Residential (R-5) a tract of land totaling 5.92 acres located at 660 Fennell Drive, Resaca, Georgia. Parcel (13-225-10-000)

Chairman Lidderdale sought a motion on the requested R-5 rezoning. **Jody McClurg then made a motion to recommend the R-5 rezoning based on her agreement with the content of the staff analysis. Chris Shiflett then seconded the motion and a unanimous recommendation to approve the R-5 rezoning followed, 4-0.**

F. Recommendation regarding the Unified Zoning Ordinance- proposed text amendments for accessory structures, townhouses, procedures regarding rezoning withdrawals, small animals and microbreweries.

Chairman Lidderdale sought a motion on the proposed text amendments to the UZO. **Scott DeLay then made a motion to recommend the proposed text amendments provided the minimum vehicle weight be increased to 10,000 pounds. DeLay stated that his recommendation was based on his**

agreement with the content of the staff analysis. Chris Shiflett then seconded the motion and a unanimous recommendation to approve the text amendments to the UZO including the change to permit commercial vehicles up to 10,000 pounds GVW followed, 4-0.

G. Recommendation regarding the request of Norwood Et Al for a tract of land totaling 2.0 acres located at 2100 Cleveland Highway, Dalton, Georgia. To be annexed into the City of Dalton. Parcel (12-126-06-001)

Chairman Lidderdale sought a motion on the requested annexation into the City of Dalton. Jody McClurg then made a motion to recommend approval of the annexation based on her agreement with the content of the staff analysis. Scott DeLay then seconded the motion and a recommendation to approve the annexation followed, 4-0.

H. Recommendation regarding the request of Jose Morales to rezone from Heavy Manufacturing (M-2) to General Commercial (C-2) a tract of land totaling 0.40 acres located at 716-720 N. Hamilton Street/E. Long Street, Dalton, Georgia. Parcels (12-200-17-004, 12-200-17-006, 12-200-200-007)

Chairman Lidderdale sought a motion on the requested C-2 rezoning. Scott DeLay then made a motion to recommend a C-1 rezoning based on his agreement with the content of the staff analysis. David Pennington then seconded the motion and a recommendation to approve a C-1 rezoning followed, 4-0.

I. Final Plat Flag Lot Review- Anna Perez

Jean Price-Garland oriented the Planning Commission to the subject property along Robinwood Circle. Price-Garland described the 1.03-acre tract and the fact that it would qualify as a flag lot. Price-Garland explained to the Planning Commission that the petitioner's request was sought in order to subdivide a portion of the parent tract for a family member to place a new manufactured home upon. She went on to explain that the issue of the flag lot was created due to the placement of an existing mobile home on the parent tract. Price-Garland stated that all department head signatures had been obtained. Chairman Lidderdale sought a motion on the proposed final plat. David Pennington made a motion to approve the plat as presented. Jody McClurg then seconded the motion and a unanimous recommendation to approve the flag lot followed, 4-0.

J. Preliminary Plat 4:1 Ratio Review- Stave Ridge Phase 2

Jean Price-Garland oriented the Planning Commission to the subject property along Quarles Road showing 14 new tracts. Price-Garland pointed out tracts 6 and 8 would be considered flag lots as well as tracts 2, 3, 4, and 5 that would need 4:1 lot ratio approval as well. Price-Garland noted the large lot sizes that offset the issues associated with flag lots and 4:1 lot ratios. Chairman Lidderdale asked Brandon Harrison to explain the need for the approval as well as to indicate where the proposed dwellings would be constructed on the proposed lots. Harrison was able to illustrate the significant separation of the proposed dwellings as well as noting the existing vegetation that would naturally buffer the proposed dwellings from each other. Harrison then stated that he expects the developed lots to be valued at over \$200,000 each. Price-Garland noted that the request was for preliminary approval prior to Harrison bringing a formal final plat to the Planning Commission.

Chairman Lidderdale sought a motion on the proposed preliminary plat. Scott DeLay made a motion to approve the preliminary plat as presented. David Pennington then seconded the motion and a unanimous recommendation to approve the preliminary plat followed, 4-0.

K. Preliminary Plat Flag Lot Review- Moore

Jean Price-Garland oriented the Planning Commission to the subject property. Price-Garland explained that the need for this plat arose from a property division among family members that would result in a 4:1 lot ratio. Price-Garland then noted the large size of the subject property as well as the portion of the property that will remain undeveloped due to the flood plain.

Chairman Lidderdale sought a motion on the proposed preliminary plat. **Chris Shiflett made a motion to approve the preliminary plat as presented. Jody McClurg then seconded the motion and a unanimous recommendation to approve the preliminary plat followed, 4-0.**

IV. ADJOURNMENT

With no other business scheduled, the meeting adjourned at approximately 7:37 p.m.

Respectfully submitted,

Ethan Calhoun
Secretary