

**MINUTES**  
**DALTON-WHITFIELD COUNTY PLANNING COMMISSION**  
**NOVEMBER 15, 2021**

**MEMBERS PRESENT**

Jim Lidderdale, Chairman  
Chris Shiflett  
Jody McClurg  
Eric Barr  
Octavio Perez  
David Pennington IV

**WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT**

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

**VISITORS PRESENT VIA VIDEO CONFERENCE**

Bryan Spence, Nicholas Daddona Jr., Arturo Pintor, Peter Stuart, David Whittenton, Maria Amayaa, David Mosteller, Ronald Bramlett, Rodney Adams, Philip Cantrell, Jason Sneed, Gary Ficker, William Jourdain, Andrew Barkley, Charles Smitherman, and others.

**STAFF PRESENT**

Ethan Calhoun  
Jean Price-Garland  
Robert Smalley  
Robert Sivick

**I. GENERAL**

A. Call to Order: Vice-Chairman Robbins called the meeting to order at 6:00 p.m. and confirmed a quorum of commissioners was present with no absences, then turned the meeting over to Chairman Lidderdale who confirmed a quorum of planning commissioners was present with no absences.

B. Minutes: Chairman Lidderdale sought a motion to approve or correct the September 27, 2021 meeting minutes. Mr. Shiflett made the motion to accept the minutes as written and his motion was seconded by Mr. Barr which then passed unanimously 5-0.

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

**II. REZONING PUBLIC HEARINGS**

**A. Heard the request of Nicholas Daddona Jr. and Louise Daddona to rezone from Rural Residential (R-5) to General Agriculture (GA) a tract of land totaling 6.23 acres located at 2631 Deep Springs Road, NE, Dalton, Georgia. Parcel (10-251-09-000) (County)**

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

Nicholas Daddona Jr. stated that the additional dwelling was for his son and daughter in law. Daddona

stated that the rezoning would allow his son to build a home for his family. Chairman Jensen asked Daddona if the new home would be built on site to which Daddona stated it would be a manufactured home.

With no further comments for or against, this hearing closed 6:09

**B. Heard the request of Arturo Pintor and Edgar Corhejo Pintor to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 1.08 acres located at 98 Roberts Drive, Dalton, Georgia. Parcel (12-127-04-001) (County)**

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was not in favor of the requested R-5 rezoning. Some discussion occurred in regard to the ability for the petitioner to use the family easement exemption in order to place a manufactured home on the subject property without the need to subdivide. It was the staff's opinion that the only way for the petitioner to divide the subject property would be by rezoning the subject property. Octavio Perez also noted that the County Health Department would need to ensure the property would be large enough to place a second septic system. There were no further questions for Calhoun.

Arturo Pintor stated that there had already been a manufactured home on the subject property in the past and the septic system was already on-site, and Pinturo simply wanted to put a newer manufactured home there for a family member.

With no other comments heard for or against, this hearing closed at approximately 6:18pm.

**C. Heard the request of Shoal Ventures to rezone from Low Density Single Family Residential (R-2) to High Density Residential (R-7) a tract of land totaling 16.11 acres located at Haigmill Lake Road, Dalton, Georgia. Parcel (12-107-04-000) (County)**

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which listed the pros and cons for the proposed rezoning development and site plan. Calhoun made clear that the conditions listed in the conclusion of the staff analysis would be necessary in order to mitigate the impacts of the proposed rezoning and development in relation to the adjacent neighborhoods. Commissioner Robbins asked Calhoun to clarify if the staff recommendation was to approve or deny the proposed rezoning, and Calhoun stated that the staff felt as though the potential negative impacts of the rezoning and senior living community could be mitigated by the list of conditions in the staff analysis. Chris Shiflett stated that he had worked in the assisted living industry for some time and had extensive experience in the operation of developments like the one proposed. Shiflett went on to state that his experience led him to believe that the traffic generation estimates presented by staff may be lower than that of a development of this scale considering staff, family of patients, and delivery trucks. Shiflett went on to mention that, of the multiple assisted living facilities in Whitfield County, there were notable vacancies, and that some national post-Covid research had indicated the need for congregate care facilities is on a downward trend. There were no further questions for Calhoun.

Peter Stewart and Lance Culpepper, the representatives of Shoal Ventures by power of attorney, stated that the proposed development would employ between 30-40 staff members and that the monthly base rate for occupants/patients would be \$3,000. Stewart then stated that the project would plan to invest around \$20,000,000. Stewart went on to state that they were agreeable to all the staff conditions. Chairman Lidderdale asked if they would consider increasing the front setback of the congregate care facility, and Stewart stated that they would be able to increase front setbacks as well as reverse the design of the development to place the congregate facility to the rear of the subject property. Octavio Perez asked Stewart if the attached dwellings would be 55+ age minimum to which Stewart stated 55 would be a minimum but most occupants tend to be 65+. Commissioner Thomas asked Stewart what the average size of the attached dwellings would be to which Stewart stated two bed and two bath units.

Lidderdale confirmed with Stewart that they would be open to an occupancy limit of 120 occupants. Shiflett asked Stewart what the expected timeline would be for the overall project to which Stewart stated that they expect to be completed within two-years. Commissioner Robbins asked Stewart where their closest operation facility was located to which Stewart stated that Dawsonville and LaGrange were the closest.

Jason Sneed, an adjacent neighbor to the south, stated that he was in favor of the rezoning based on the need for senior housing in Whitfield County. Sneed stated that he is a local practicing pharmacist in Dalton. Shiflett asked Sneed if he had a financial interest in the proposed development, and Sneed stated that he owned the subject property proposed to be sold to Shoal Ventures if the rezoning is approved. Chairman Jensen asked Sneed if he would consider selling the subject property if the proposed rezoning is denied to which Sneed stated he would not sell the property if it is not rezoned. At this time Chairman Lidderdale asked for a show of hands for all opposed to the Shoal Ventures rezoning, and dozens of those in attendance raised their hands to signify their opposition. Based on the number of those opposed, Chairman Lidderdale stated that a time limit of three minutes per speaker and a limit of four speakers would be set in order to ensure a timely public hearing for other business to be conducted. Lidderdale suggested the crowd select spokespersons and approach the podium.

William Jourdain, an adjacent neighbor to the south, stated that he purchased his property and has been a nearby resident since 2019. Jourdain stated that he chose his property due to the low-density nature of the area as well as the natural ambiance of the Haigmill community. Jourdain stated that he opposed the proposed rezoning and development based on his concerns with traffic generation, noise, the entering wedge effect of R-7 at this location, and his belief that there is not a significant need for senior housing in Whitfield County that would outweigh the negative effect of the proposed development.

Andrew Barkley, another neighboring property owner, stated that he also recently purchased his property for the same reasons as stated by Jourdain, and Barkley stated that he believed the subject property would create long-term issues as previously stated by Jourdain. Barkley stated that he would prefer the subject property remain R-2 single-family.

Gary Ficker, the adjacent neighbor to the north, stated that he was opposed to the R-7 rezoning and development. Ficker stated that he felt that there was no amount of buffer sufficient enough to mitigate the negative effects of noise from the proposed development. Ficker went on to state that he recently invested over \$100,000 into landscaping and a backyard pool and the proposed development would inhibit his family's ability to enjoy this amenity. Ficker stated that he is also concerned with the traffic related to delivery trucks, garbage service, as well as employees.

Charles Smitherman, a resident and Board member of the Windemere Homeowner's Association, stated that the Windemere HOA was opposed to the proposed rezoning and development. Smitherman stated that their opposition was based on dissimilar zoning, the entering wedge effect, traffic generation, noise, and a negative impact to the surrounding high-value estates. Smitherman cited the staff analysis to his points of concern. Smitherman went on to note his concern with the amount of parking spaces that leads him to believe the trip generation will be much higher than anticipated. Smitherman ended his remarks by stating that there is nothing preventing the subject property from being developed as it is currently zoned as was noted in the staff analysis.

Stewart rebutted by stating that they expect only 1-2 delivery trucks per week and stated that they would be open to significantly reducing the amount of parking spaces as they were simply following the minimum parking requirements in the UZO.

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

**D. Heard the request of Thomas Durkan III to rezone from Heavy Manufacturing (M-2) and Medium Density Single Family Residential (R-3) to Transitional Residential (R-6) a tract of land totaling 0.33 acres located at 624 Charles Street and 0.11 acres located at 620 Charles Street, Dalton, Georgia. Parcels (12-199-19-008 and 12-199-19-016) (City)**

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested R-6 rezoning. There were no further questions for Calhoun.

Rodney Adams, power of attorney, represented Thomas Durkan by stating their plan to remodel the existing structures into four condominium units.

With no other comments heard for or against, this hearing closed at approximately 7:20pm.

**E. Heard the request of Worldcap Solutions to rezone from Medium Density Single Family Residential (R-3) and Transitional Residential (R-6) to High Density Residential (R-7) a tract of**

**land totaling 3.17 acres located at Brady Drive, Dalton, Georgia. Parcels (12-120-20-013 thru 12-120-20-019) (City)**

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

David Whittenton stated that the request would permit new development that is reflective of the existing housing in this area. Whittenton asked for a setback variance on one lot to include a fourplex on Lot 39 of the Crow Valley Estates Phase 2 final plat. After some discussion with staff, it was determined that the Planning Commission could grant the variance. Lidderdale confirmed that there would be a requirement to meet the required six parking spaces if the variance was to be approved. Whittenton stated there would be no issue with parking provided the variance is granted.

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

**F. Heard the request of Maria Amaya to rezone from Medium Density Residential (R-3) to Neighborhood Commercial (C-1) a tract of land totaling 0.31 acres located at 904 Riverbend Road, Dalton, Georgia. Parcel (12-255-02-026) (City)**

Mr. Calhoun summarized the staff analysis which was in favor of the proposed C-1 rezoning. Chris Shiflett confirmed with Calhoun that a buffer would be required along the northern portion of the subject property. There were no further questions for Calhoun.

Maria Amaya was present, and Ronald Bramlett translated for her. Bramlett noted the previous attempt to rezone the northern adjacent tract and stated that the proposed rezoning would allow the northern adjacent property to remain residential and that it would not be associated with the proposed restaurant. With no other comments heard for or against, this hearing closed at approximately 7:30pm.

**G. Heard the request of David Mosteller to rezone from Low Density Single Family Residential (R-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 0.60 acres located at 803 West Waugh Street, Dalton, Georgia. Parcel (12-199-27-095) (City)**

Mr. Calhoun summarized the staff analysis which was not in favor of the proposed R-3 rezoning. There were no further questions for Calhoun.

David Mosteller stated that the need for the additional lot and dwelling for his daughter in order for her to be close to her family due to her medical condition. Mosteller stated that they have looked into moving earth to create a buildable pad and deal with water runoff. Lidderdale asked if they had looked into adding space to the existing dwelling to which Mosteller stated there was no feasible way to accommodate an addition due to the site's topography. Philip Cantrell joined Mosteller and stated that he would be the builder of the proposed dwelling and that the layout of the subject property would accommodate a dwelling.

With no other comments heard for or against, this hearing closed at approximately 7:53pm.

**H. Heard the request of Trey Butler to rezone from Heavy Manufacturing (M-2) and General Commercial (C-2) to General Commercial (C-2) a tract of land totaling 2.15 acres located at 303 & 305 Fernwood Avenue, and 1206 & 1208 New East Morris Street, Dalton, Georgia. Parcels (12-240-20-009 and 12-240-20-007) (City)**

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

With no petitioner present the public hearing was postponed until the December meeting of the Planning Commission.

**I. Heard the request of Hammer Properties to rezone from General Commercial (C-2) to Rural Residential (R-5) a tract of land totaling 0.34 acres located at East Morris Street, Dalton, Georgia. Parcel (12-218-18-005) (City)**

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

Bryan Spence stated that he intends to construct a single-family detached dwelling on the subject property similar to those in the area.

Greg Bowman stated that he owns three adjacent properties that are all zoned C-2 and that he is opposed to the subject property being rezoned C-2. Bowman stated that he did not think that mixing commercial and residential zoning would have a positive outcome. Bowman informed the Planning Commission that he had attempted to purchase the subject property from Spence. Bowman stated that two of his adjacent tracts were zoned C-2 but contained single-family detached dwellings that he rented as a source of income. Chris Shiflett asked Bowman for the reasons for his opposition to which Bowman stated that he was concerned with long-term property maintenance if a dwelling is constructed. Bowman also noted a former gentleman's agreement regarding access to the adjacent church property as well as overflow parking for his commercial property. Bowman then stated that there had been a drainage issue with the subject property in the past.

With no other comments heard for or against, this hearing closed at approximately 8:09pm.

### **III. REGULAR MEETING**

#### **A. Recommendation regarding the request of Nicholas Daddona Jr. and Louise Daddona to rezone from Rural Residential (R-5) to General Agriculture (GA) a tract of land totaling 6.23 acres located at 2631 Deep Springs Road, NE, Dalton, Georgia. Parcel (10-251-09-000) (County)**

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

#### **B. Recommendation regarding the request of Arturo Pintor and Edgar Corhejo Pintor to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 1.08 acres located at 98 Roberts Drive, Dalton, Georgia. Parcel (12-127-04-001) (County)**

Chairman Lidderdale sought a motion on the requested R-5 rezoning. **Chris Shiflett then made a motion to recommend a denial of the R-5 rezoning based on his agreement with the content of the staff analysis. David Pennington then seconded the motion and a recommendation to deny the R-5 rezoning followed, 3-2 with Eric Barr and Octavio Perez voting nay.**

#### **C. Recommendation regarding the request of Shoal Ventures to rezone from Low Density Single Family Residential (R-2) to High Density Residential (R-7) a tract of land totaling 16.11 acres located at Haigmill Lake Road, Dalton, Georgia. Parcel (12-107-04-000) (County)**

Chairman Lidderdale sought a motion on the requested R-7 rezoning. Jody McClurg stated that she was concerned with the development creating an entering wedge. Octavio Perez stated that he felt there was a need for a development like this one. Chris Shiflett stated that he discovered there were a number of vacancies at several other congregate care facilities in Whitfield County that would suggest there is not as great a need as previously thought. **Jody McClurg then made a motion to recommend a denial of the R-7 rezoning based on her agreement with the content of the staff analysis regarding the effect of an entering wedge that would lead to further R-7 rezoning. Chris Shiflett then seconded the motion and a unanimous recommendation to deny the R-7 rezoning followed, 5-0.**

#### **D. Recommendation regarding the request of Thomas Durkan III to rezone from Heavy Manufacturing (M-2) and Medium Density Single Family Residential (R-3) to Transitional Residential (R-6) a tract of land totaling 0.33 acres located at 624 Charles Street and 0.11 acres located at 620 Charles Street, Dalton, Georgia. Parcels (12-199-19-008 and 12-199-19-016) (City)**

Chairman Lidderdale sought a motion on the requested R-6 rezoning. **Octavio Perez then made a motion to recommend the R-7 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-6 rezoning followed, 5-0.

**E. Recommendation regarding the request of Worldcap Solutions to rezone from Medium Density Single Family Residential (R-3) and Transitional Residential (R-6) to High Density Residential (R-7) a tract of land totaling 3.17 acres located at Brady Drive, Dalton, Georgia. Parcels (12-120-20-013 thru 12-120-20-019) (City)**

Chairman Lidderdale sought a motion on the proposed R-7 rezoning. Jody McClurg then made a motion to recommend the proposed R-7 rezoning with a variance to include a fourplex on Lot 39 of the Crow Valley Estates Phase 2 plat provided that the required 6 parking spaces be provided. McClurg stated that her motion was based on her agreement with the content of the staff analysis. David Pennington then seconded the motion and a unanimous recommendation to approve the rezoning with conditions followed, 5-0.

**F. Recommendation regarding the request of Maria Amaya to rezone from Medium Density Residential (R-3) to Neighborhood Commercial (C-1) a tract of land totaling 0.31 acres located at 904 Riverbend Road, Dalton, Georgia. Parcel (12-255-02-026) (City)**

Chairman Lidderdale sought a motion on the proposed C-1 rezoning. Jody McClurg then made a motion to recommend the C-1 rezoning based on her agreement with the content of the staff analysis. Octavio Perez seconded the motion and a unanimous recommendation to approve the C-1 rezoning followed, 5-0.

**G. Recommendation regarding the request of David Mosteller to rezone from Low Density Single Family Residential (R-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 0.60 acres located at 803 West Waugh Street, Dalton, Georgia. Parcel (12-199-27-095) (City)**

Chairman Lidderdale sought a motion on the proposed R-3 rezoning. Chris Shiflett then made a motion to recommend the R-3 rezoning with the condition that the single-family dwelling be a minimum of 1,200SF and meet the required setbacks based on his belief that the proposed home would not be out of character with the neighborhood. David Pennington seconded the motion and a unanimous recommendation to approve the R-3 rezoning followed, 5-0.

**H. Recommendation regarding the request of Trey Butler to rezone from Heavy Manufacturing (M-2) and General Commercial (C-2) to General Commercial (C-2) a tract of land totaling 2.15 acres located at 303 & 305 Fernwood Avenue, and 1206 & 1208 New East Morris Street, Dalton, Georgia. Parcels (12-240-20-009 and 12-240-20-007) (City)**

Chairman Lidderdale noted that this item will be tabled for one month due to the petitioner's absence.

**I. Recommendation regarding the request of Hammer Properties to rezone from General Commercial (C-2) to Rural Residential (R-5) a tract of land totaling 0.34 acres located at East Morris Street, Dalton, Georgia. Parcel (12-218-18-005) (City)**

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

**J. Preliminary Plat Review- Dixie Brix**

Ms. Price Garland oriented the Planning Commission to the proposed plat and its location along Old Dixie Highway. The plat showed two tracts with one tract at 41.45-acres and a second tract at 33.86-acres. Price-Garland stated that the plat had been reviewed by the County engineer and stormwater with no issues cited.

Chairman Lidderdale sought a motion on the preliminary plat. David Pennington then made a motion to approve the preliminary plat as presented. His motion was seconded by Chris Shiflett, and the preliminary plat was then approved unanimously, 5-0.

**K. Final Plat Review (City)- Spence**

Ms. Price-Garland oriented the Planning Commission to the proposed plat and its location along Castle Roan, Beverly and Citadel Drive in the City of Dalton. The plat showing three tracts 1.38-acres, 0.7-acres, and 1.31-acres met all the subdivision requirements as stated by Price-Garland.

Chairman Lidderdale sought a motion on the final plat for the Anthony and Spence final plat. David Pennington then made a motion to approve the final plat as presented. His motion was seconded by Jody McClurg, which then passed unanimously, 5-0.

**L. Final Plat Review (City)- Hernandez**

Ms. Price-Garland oriented the Planning Commission to the proposed plat and its location along Bailey Avenue in the City of Dalton. The plat showing three tracts 0.15-acres, 0.28-acres, and 0.19-acres met all the subdivision regulations for the City and Price-Garland recommended that it be approved.

Chairman Lidderdale sought a motion on the final plat for the Jesus Hernandez. Chris Shiflett then made a motion to approve the final plat as presented. His motion was seconded by David Pennington, which then passed unanimously, 5-0.

**M. Final Plat Review (City)- Goldberg**

Ms. Price-Garland oriented the Planning Commission to the proposed plat and its location along the North Dalton Bypass. The plat showing three tracts of land 2-acres, 3.69-acres, and 2-acres met all City subdivision regulations according to Price-Garland and she then recommended that the plat be approved.

Chairman Lidderdale sought a motion on the final plat for Joel Goldberg. Chris Shiflett then made a motion to approve the final plat lot as presented. His motion was seconded by David Pennington, which then passed unanimously, 5-0.

**IV. ADJOURNMENT**

With no other business scheduled, the meeting adjourned at approximately 8:28 p.m.

Respectfully submitted,  
Ethan Calhoun  
Secretary