

MINUTES
DALTON-WHITFIELD COUNTY PLANNING COMMISSION
August 22, 2022

MEMBERS PRESENT

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

WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT

Jevin Jensen, *Chairman*
Barry Robbins, *Vice Chairman*
John Thomas
Greg Jones

VISITORS PRESENT VIA VIDEO CONFERENCE

Vicky Alt, Ann Blevins, Jason Keen and others.

STAFF PRESENT

Ethan Calhoun
Jean Price-Garland
Robert Sivick
Kent Benson
Robert Smalley
Jacob Bearden

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, 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 July 25, 2022 meeting minutes. David Pennington made the motion to accept the minutes as written and his motion was seconded by Chris Shiflett 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 September meetings of the Whitfield County Board of Commissioners and Mayor and Council of the City of Dalton.

II. REZONING PUBLIC HEARINGS

A. Heard the request of Wheeler Dam Properties, LLC to rezone from General Agriculture (GA) to Zero Lot Line Residential (R-4) a tract of land totaling 34.30 acres located on Wheeler Dam Drive, Cohutta, Georgia. Parcel (11-135-05-000)

Mr. Calhoun summarized the staff analysis which recommended denial of the R-4 rezoning. There were no further questions for Calhoun.

Barbara Coffee, the subject property owner, stated that she and her husband have owned the property for a number of years. Coffee went on to state that she and her husband had cattle for many years, but that their fences had been damaged by a neighbor's encroaching bamboo cane thicket. Coffee stated that she and her husband wished to sell the subject property and move to a more manageable location for she and her husband. Coffee noted that the prospective buyer of the subject property wished to develop it for residential use.

Chairman Lidderdale stated that opposition speakers would be limited to three-minutes per person since there was a large crowd with many planning to speak in opposition.

Ann Blevins, an adjacent neighbor, stated that she had been a resident of Wheeler Dam Dr. for 52-years. Blevins went on to state her opposition to the proposed rezoning due to it being too high of density for the rural area. Blevins state that she was concerned that the proposed housing density would be a public safety issue for the prospective residents due to potential for housefire spreading. Blevins then stated she felt that the proposed housing would lower her property value if it became low-income housing. Blevins continued by stating her concerns with north county school capacity if this rezoning and development are approved.

Jason Keen, a neighbor, stated that he was opposed to the rezoning based on the likelihood that the added impervious surface to this area would enlarge the existing flood zone over time.

April Elliot, a nearby neighbor, stated that she opposed the R-4 rezoning based on it being out of character with the rural character of the area. Elliot stated that she believed the proposed housing would simply attract those fleeing the metropolitan areas seeking lower taxes.

Vicky Edge, a neighbor, stated that she was opposed to the R-4 rezoning on the same issues cited in the staff analysis.

Sydney Mills, a neighbor, stated their opposition to the R-4 rezoning based on the issue of creating additional stormwater, loss of wildlife habitat, and traffic generation.

Edgar Cagle, the prospective developer for the proposed rezoning, stated that their plans were to construct 120 buildable lots while meeting all the stormwater, roads, and building requirements. Cagle went on to specify that their plan is to develop lots of 7,500sf that will list for \$300,000-\$400,000 once houses are completed. Cagle stated that there would be no issue making the necessary sewer and road improvements.

With no other comments heard for or against, this hearing closed at approximately 6:31pm.

B. Heard the request of Dave Canter to modify the conditions to the Planned Unit Development (PUD) tract of land totaling 401.19 acres located at 4616 Cleveland Highway, Dalton, Georgia. Parcels (11-121-12-000, 11-133-01-000, 11-132-01-000 and 11-121-10-000)

Mr. Calhoun summarized the staff analysis which recommended the requested PUD amendments. There were no further questions for Calhoun.

Chairman Lidderdale stated that opposition speakers would be limited to three-minutes per person since there was a large crowd with many planning to speak in opposition.

Danial Alt, a resident of the north Whitfield area, stated that the rezoning sign was not visible to suffice for adequate public notice for the rezoning action. Alt stated that he did not believe that altering the conditions of the PUD would be a benefit to the citizens of Whitfield County. Alt added that more strict conditions should be placed on the PUD. Chairman Lidderdale asked Alt to limit his opposition remarks to the list of requested conditions, and Alt made no further statements.

Matt Coker, a resident of the Cohutta area, began by stating his opposition to the proposed PUD conditions, and Coker went on to note the impact to the solid waste convenience centers for the north end of the county. Coker stated that he was unaware of a plan to address the trash pickup for the planned development. Lidderdale asked Coker to speak to the issues related to the proposed conditions and that trash pickup was not part of the PUD amendment. Coker made no additional statements.

Carol Mathews, a resident of the area, stated that she was opposed to the condition allowing 50,000sf for a single commercial tenant on the subject property due to it being too large for neighborhood commercial development. Mathews then stated that she was opposed to larger signs and lighting that would add to the light pollution in the area and compromise the rural scenery.

Vicky Alt, a resident of the north Whitfield area, stated that she was opposed to the proposed PUD condition amendments. Alt distributed copies of GDOT traffic counts to the Planning Commission and Board of Commissioners. Alt drew attention to Hwy. 71 near the subject property and began noting average annual daily traffic counts suggesting that public road capacity was already taxed in this area. Lidderdale asked Alt to summarize by addressing how the traffic counts were related to the proposed conditions. Alt made no further comments.

With no other comments heard for or against, this hearing closed at approximately 6:53pm.

C. Heard the request of Sarah Holcomb to rezone from Suburban Agriculture (SA) to Rural Residential (R-5) a tract of land totaling 3.62 acres located at West Valley Drive and Valley Drive (a/k/a Carl Wood Road), Rocky Face, Georgia. Parcel (27-165-14-000)

Mr. Calhoun summarized the staff analysis which recommended an R-2 rezoning rather than the requested R-5 rezoning. Chairman Jensen confirmed with Calhoun and the other commissioners that creating an island of R-2

at this location would protect the adjacent properties from dissimilar development. There were no further questions for Calhoun.

Ava Talmage, with the petitioner's power of attorney, stated that she would actually prefer R-2 rather than R-5 based on the factors noted in the staff analysis.

With no other comments heard for or against, this hearing closed at approximately 7:03pm.

D. Heard the request of Bryan Spence to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 1.65 acres located at 623 Hill Road, Dalton, Georgia. Parcel (12-281-06-000)

Mr. Calhoun summarized the staff analysis which recommended an R-5 rezoning with conditions. Calhoun stated that he additionally recommended that there be no burden of buffer placed on the DMV property and that the subject property create a vegetative buffer along said boundary. There were no further questions for Calhoun. Bryan Spence stated that his plan is to construct single-family detached dwellings.

With no other comments heard for or against, this hearing closed at approximately 7:09pm.

E. Heard the request of Billy Spence to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 0.87 acres located at Dycus Road, Dalton, Georgia. Parcel (12-205-01-008)

Mr. Calhoun summarized the staff analysis which recommended an R-3 rezoning rather than the requested R-5 rezoning. There were no further questions for Calhoun.

Bryan Spence, with power of attorney, represented the petitioner, his brother. Spence stated that his brother wished to build three duplexes on the subject property. Lidderdale asked Spence if his brother would consider the R-3 zone district to construct single-family detached dwellings. Jean Price-Garland stated that the subject property would not be wide enough for three duplexes. Spence confirmed that R-3 would permit 50' lot frontage, and Spence stated that he was unsure if his brother would be open to the single-family limitations of the R-3 zone district.

With no other comments heard for or against, this hearing closed at approximately 7:17pm.

F. Heard the request of RW Sales, LLC to rezone from Low Density Single Family Residential (R-2) to Transitional Residential (R-6) a tract of land totaling 2.62 acres located at Dawnville Road and Brooker Road, Dalton, Georgia. Parcel (12-127-01-017)

Chairman Lidderdale stated that the petitioner withdrew their request to rezone prior to the public hearing.

G. Heard the request of Melvin Terry to rezone from Medium Density Single Family Residential (R-3) to Neighborhood Commercial (C-1) a tract of land totaling 0.06 acres located at 06A Waugh Street (Martin Luther King Jr. Blvd.), Dalton, Georgia. Parcel (12-218-28-016)

Mr. Calhoun summarized the staff analysis which recommended a denial of the C-1 rezoning. There were no further questions for Calhoun.

Trey Terry stated that he was representing his father, Melvin. Terry went on to note their family's long-time local roofing business and their desire to use the subject property for signage for their business. Terry stated that they plan to construct a small sign on the subject property as well as potentially parking one of their trucks on the property with the business logo and information. Terry noted that his family obtained the subject property at a low price as compared to the higher lease fees associated with other available highway signage in and around the city.

Rose Cooper, an adjacent neighbor, strongly opposed the C-1 rezoning based on her concerns with the content of the staff analysis in terms of lighting and as an eye sore for the residential community.

Deborah Macon, a neighbor, also stated her opposition to the proposed C-1 rezoning and sign as well as noting issues with the placement of a truck on the subject property.

Teresa Copeland, an adjacent neighbor, opposed the C-1 rezoning and proposed sign based on her opinion that the commercial encroachment and signage would undermine the revitalization efforts for the historic African American neighborhood.

Terry rebutted by stating a willingness to limit sign height and size to minimize impact to the neighborhood.

With no other comments heard for or against, this hearing closed at approximately 6:50pm.

H. Heard the request of Maria E. Gonzales & Edgar Hurtado to annex 0.17 acres located at 1517 Hale

Bowen Drive, Dalton, GA into the City of Dalton as Medium Density Single Family Residential (R-3). Parcel (12-179-02-048)

Mr. Calhoun summarized the staff analysis which recommended the requested annexation after citing the content of the staff analysis. Calhoun went on to clarify that certain City services such as trash pickup and school bus routing may be a challenge for the subject property due to its access being on a private drive rather than a City street. There were no further questions for Calhoun.

The petition was represented by Ethan Calhoun since the petitioner filed for annexation by the 100% method and was, therefore, not required to be present for the public hearing.

With no other comments heard for or against, this hearing closed at approximately 7:36pm.

III. REGULAR MEETING

A. Recommendation regarding the request of Wheeler Dam Properties, LLC to rezone from General Agriculture (GA) to Zero Lot Line Residential (R-4) a tract of land totaling 34.30 acres located on Wheeler Dam Drive, Cohutta, Georgia. Parcel (11-135-05-000)

Chairman Lidderdale sought a motion on the requested R-4 rezoning. Chris Shiflett asked if the possibility for the staff's consideration of a possible R-2 rezoning would be viable, but the petitioner and prospective developer were not present to comment. Some discussion occurred resulting in the understanding that this item cannot be tabled further by the Planning Commission since the item had already been tabled one-month.

Chris Shiflett then made a motion to recommend a denial of the R-4 rezoning. David Pennington then seconded the motion and a unanimous recommendation to deny the R-4 rezoning followed, 4-0.

B. Recommendation regarding the request of Dave Canter to modify the conditions to the Planned Unit Development (PUD) tract of land totaling 401.19 acres located at 4616 Cleveland Highway, Dalton, Georgia. Parcels (11-121-12-000, 11-133-01-000, 11-132-01-000 and 11-121-10-000)

Chairman Lidderdale sought a motion on the requested PUD amendments. Octavio Perez noted concerns with the conditions created by the Board of Commissioners and stated that he believed the original approval of the PUD by the Planning Commission would satisfy the developer's needs. **Octavio Perez then made a motion to recommend the PUD as it was previously approved at the June meeting of the Planning Commission. Shiflett noted that the motion would need to be in regard to the petitioner's requested amendments. Dave Canter confirmed the requested conditional amendments to the PUD at the request of Chairman Lidderdale. Octavio Perez then made a motion to recommend approval of the petitioner's requested PUD amendment based on the staff analysis. Chris Shiflett then seconded the motion and a unanimous recommendation to approve the PUD amendments followed, 3-1 with David Pennington voting nay.**

C. Recommendation regarding the request of Sarah Holcomb to rezone from Suburban Agriculture (SA) to Rural Residential (R-5) a tract of land totaling 3.62 acres located at West Valley Drive and Valley Drive (a/k/a Carl Wood Road), Rocky Face, Georgia. Parcel (27-165-14-000)

Chairman Lidderdale sought a motion on the requested R-5 rezoning. **Jody McClurg then made a motion to recommend an R-2 rezoning based on her agreement with the content of the staff analysis. Chris Shiflett then seconded the motion and a unanimous recommendation to recommend an R-2 rezoning followed, 4-0.**

D. Recommendation regarding the request of Bryan Spence to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 1.65 acres located at 623 Hill Road, Dalton, Georgia. Parcel (12-281-06-000)

Chairman Lidderdale sought a motion on the requested R-5 rezoning. **David Pennington then made a motion to approve the R-5 rezoning based on his agreement with the content of the staff analysis and added a condition that the subject property create a buffer where it is adjacent to M-2. Octavio Perez then seconded the motion and some discussion occurred in order to determine that the required buffer would be a 10' vegetative buffer. David Pennington amended his motion to recommend approval of the R-5 rezoning with the condition that the subject property create a 10' vegetative buffer where it is adjacent to the M-2 zone district. Octavio Perez seconded the motion and a unanimous recommendation to approve the R-5 rezoning and condition followed, 4-0.**

E. Recommendation regarding the request of Billy Spence to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 0.87 acres located at Dycus Road, Dalton, Georgia. Parcel (12-205-01-008)

Chairman Lidderdale sought a motion on the requested R-5 rezoning. Chairman Lidderdale confirmed with the petitioner that R-3 would be acceptable. **Chris Shiflett then made a motion to recommend an R-3 rezoning based on his agreement with the content of the staff analysis. Jody McClurg then seconded the motion and a unanimous recommendation to approve an R-3 rezoning followed, 4-0.**

F. Recommendation regarding the request of Melvin Terry to rezone from Medium Density Single Family Residential (R-3) to Neighborhood Commercial (C-1) a tract of land totaling 0.06 acres located at 06A Waugh Street (Martin Luther King Jr. Blvd.), Dalton, Georgia. Parcel (12-218-28-016)

Chairman Lidderdale sought a motion on the requested C-1 rezoning. Octavio Perez affirmed the concerns of the neighbors' opposition to the proposed signage on the subject property. **Jody McClurg then made a motion to deny the C-1 rezoning based on her agreement with the content of the staff analysis. David Pennington then seconded the motion and a unanimous recommendation to deny the C-1 rezoning followed, 4-0.**

G. Recommendation regarding the request of Maria E. Gonzales & Edgar Hurtado to annex 0.17 acres located at 1517 Hale Bowen Drive, Dalton, GA into the City of Dalton as Medium Density Single Family Residential (R-3). Parcel (12-179-02-048)

Chairman Lidderdale sought a motion on the requested City of Dalton annexation. **Chris Shiflett then made a motion to recommend the annexation based on his agreement with the content of the staff analysis. David Pennington then seconded the motion and a unanimous recommendation to approve the annexation followed, 4-0.**

H. Flag Lot Review- Larry Cox and Judy Cox

Jean Price-Garland explained to the planning commission that the proposed flag lot was being requested by the petitioner in order to create a home for the petitioner's disabled brother. Price-Garland stated that the petitioner was unsuccessful in purchasing additional land and therefore a flag lot was the only option for dividing the subject property. Price-Garland stated that no issues were raised during department reviews. Price-Garland also pointed out that the panhandle would create the opportunity for a separate driveway in the future when the subject property is eventually sold. Chairman Lidderdale sought a motion on the preliminary plat. Chris Shiflett made a motion to approve the flag lot as drawn. His motion was seconded by Octavio Perez which then passed unanimously, 4-0.

I. Flag Lot Review- Scott Headrick

Jean Price-Garland oriented the planning commission to the subject property along King Rd. Price-Garland noted that Headrick wished to sell the 4.4-acres of his property while keeping the 0.6-acre tract with his existing home. Price-Garland noted that all other requirements had been met and that the plat had received all other required department head signatures. Chairman Lidderdale sought a motion on the flag lot. Octavio Perez made a motion to approve the proposed flag lot. His motion was seconded by Chris Shiflett which then passed unanimously, 4-0.

J. 4:1 Lot Ratio Review- Daniel Larry Adams & Janet M. Adams

Jean Price-Garland oriented the planning commission to the subject property along Crow Valley Rd. Price-Garland noted that the proposed lot would trigger the 4:1 lot ratio review and require Planning Commission approval if it is to be divided. Price Garland stated that the proposed lot was being requested in order to allow for a family member of the Adams family. Price Garland noted the family access easement as well as the fact that the subject property had its own road frontage as well. Price-Garland stated that the plat still required other department head signatures to be fully approved. Chairman Lidderdale sought a motion on the 4:1 ratio lot. Octavio Perez made a motion to approve the proposed flag lot. His motion was seconded by Chris Shiflett which then passed unanimously, 4-0.

K. Annual Officers Election

Chairman Lidderdale sought a motion on the annual election of Chairman and Vice Chairman. Jody McClurg

made a motion to re-elect Jim Lidderdale as the Chairman and to elect Chris Shiflett as the Vice Chairman. Her motion was seconded by David Pennington which then passed unanimously, 4-0

IV. ADJOURNMENT

With no other business scheduled, the meeting adjourned at approximately 8:10 p.m.

Respectfully submitted,

Ethan Calhoun

Secretary