



CITY OF DAHLONEGA

Planning Commission Meeting / Public Hearing Revised Agenda

November 04, 2025, 6:00 PM

Gary McCullough Chambers, Dahlonega City Hall

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 706-864-6133.

Vision - Dahlonega will be the most welcoming, thriving, and inspiring community in North Georgia

Mission Statement - Dahlonega, a City of Excellence, will provide quality services through ethical leadership and fiscal stability, in full partnership with the people who choose to live, work, and visit. Through this commitment, we respect and uphold our rural Appalachian setting to honor our thriving community of historical significance, academic excellence, and military renown.

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. Regular Meeting / Public Hearing of October 7, 2025
Rhonda Hansard, City Clerk

RECESS REGULAR MEETING FOR PUBLIC HEARING

PUBLIC HEARING

1. REZN 25-04 Annexation and Zoning: Bryan Bergstein, applicant and property owner, seeks annexation and PUD (Planned Unit Development) zoning for 4.30 acres (Land Lot 145, 2nd District, 1st Section, Lumpkin County) (Map/Parcel 081 009) fronting 384.22 feet on the west side of South Chestatee Street (SR 60/ US Hwy 19) 162 feet northwest of Old Village Lane (a.k.a. 3400 South Chestatee Street). Existing character area in unincorporated Lumpkin County is Gateway Corridor. Proposed use: Fee simple townhouses (40 units).
Doug Parks, City Attorney
2. REZN 25-10 Pinetree Way: The applicant's request for amendment to the existing PUD has been received and reviewed by City staff. It was determined that additional information was needed to complete the review of the application. Due to an accident resulting in significant time for recovery, the applicant's representative was unable to provide essential information required by the City and the City's outside consultant. It is requested that this Item be postponed until the next Planning Commission Meeting to provide the applicant's representative with additional time to provide the information. This will also provide ample time for staff to review and complete the Staff Report, which will then be presented to the Commission.
Allison Martin, City Manager

RECONVENE REGULAR MEETING

OLD BUSINESS

NEW BUSINESS

1. REZN 25-04 Annexation and Zoning: Bryan Bergstein, applicant and property owner, seeks annexation and PUD (Planned Unit Development) zoning for 4.30 acres (Land Lot 145, 2nd District, 1st Section, Lumpkin County) (Map/Parcel 081 009) fronting 384.22 feet on the west side of South Chestatee Street (SR 60/ US Hwy 19) 162 feet northwest of Old Village Lane (a.k.a. 3400 South Chestatee Street). Existing character area in unincorporated Lumpkin County is Gateway Corridor. Proposed use: Fee simple townhouses (40 units).
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Allison Martin, City Manager

ADJOURNMENT

Guideline Principles - The City of Dahlonega will be an open, honest, and responsive city that balances preservation and growth and delivers quality services fairly and equitably by being good stewards of its resources. To ensure the vibrancy of our community, Dahlonega commits to Transparency and Honesty, Dedication and Responsibility, Preservation and Sustainability, Safety and Welfare...for ALL!



CITY OF DAHLONEGA

Planning Commission Regular Meeting / Public Hearing Minutes

October 07, 2025, 6:00 PM

Gary McCullough Chambers, Dahlonega City Hall

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Vision - Dahlonega will be the most welcoming, thriving, and inspiring community in North Georgia

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CALL TO ORDER

Chairman Spivey called the Regular Meeting / Public Hearing to order at 6:00 p.m. with the following Commissioners present: Feagin, Guy, Norton, and Steinberg; Commissioner O'Gorman was absent.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Chairman Spivey led the Pledge of Allegiance to the American Flag.

APPROVAL OF AGENDA

There was a motion by Commissioner Feagin and a second by Commissioner Steinberg to approve the Agenda as presented.

Motion carried with four members in favor (Feagin, Guy, Norton, and Steinberg) and one member absent (O'Gorman).

APPROVAL OF MINUTES

1. Regular Meeting / Public Hearing of August 5, 2025
Rhonda Hansard, City Clerk

There was a motion by Commissioner Feagin and a second by Commissioner Guy to approve the Minutes of the Regular Meeting / Public Hearing of August 5, 2025.

Motion carried with four members in favor (Feagin, Guy, Norton, and Steinberg) and one member absent (O'Gorman).

RECESS REGULAR MEETING FOR PUBLIC HEARING

There was a motion by Commissioner Steinberg and a second by Commissioner Guy to recess the Regular Meeting for the purpose to enter into a Public Hearing.

Motion carried with four members in favor (Feagin, Guy, Norton, and Steinberg) and one member absent (O'Gorman), and the Regular Meeting was recessed at 6:03 p.m.

Chairman Spivey called the Public Hearing to order at 6:04 p.m. with the following Commissioners present: Feagin, Guy, Norton, and Steinberg; Commissioner O’Gorman was absent.

PUBLIC HEARING

1. REZN 25-06: The Overlook of Dahlonge, LLC, by Warren Welch - Applicant and Emerling Resources, LLC - Property Owner, seeks to rezone 83.505 acres fronting on the south side of Dawsonville Highway (State Route 9/State Route 52) across from Clay Creek Falls Road from PUD (Planned Unit Development District) to PUD (Planned Unit Development District). Proposed use: Mixed Use Development (132 detached single-family lots; 136 townhome lots; and, 17,000 square feet of commercial building space) (development of regional impact #4518) - Land Lots 681, 718, 719, 720, 752, and 753; District 12; 1st Section; Lumpkin County; Map/Parcels 045-063 and 045-066; 550 and 497 Dawsonville Highway
Doug Parks, City Attorney

Allison Martin, City manager, addressed the Commission and introduced Public Hearing 1. (REZN 25-06).

Chairman Spivey declared the Public Hearing open.

Speaking in favor:

Warren Welch, Applicant (provided a presentation)
Vic Dover

Speaking in opposition:

Lynn Young
Gary Sullivan
Ken Corbin
Regina Carper
Phyllis Million
Calvin Jordan
Bill Halderson
Stuart Greene
Kenneth Martin
Jamie Moss
Tom Gordineer
Isaac Rojas

Mr. Welch, Applicant, was granted the opportunity to provide rebuttal to those comments of opposition.

Chairman Spivey declared the Public Hearing closed.

No action was taken by the Commission.

There was a motion by Commissioner Feagin and a second by Commissioner Guy to adjourn the Public Hearing.

Motion carried with four members in favor (Feagin, Guy, Norton, and Steinberg) and one member absent (O’Gorman), and the Public Hearing was adjourned at 7:51 p.m.

RECONVENE REGULAR MEETING

There was a motion by Commissioner Steinberg and a second by Commissioner Norton to come out of recess and reconvene the Regular Meeting.

Motion carried with four members in favor (Feagin, Guy, Norton, and Steinberg) and one member absent (O’Gorman), and the Regular Meeting was reconvened at 7:51 p.m.

OLD BUSINESS

There was no *Old Business*.

NEW BUSINESS

1. REZN 25-06: The Overlook of Dahlenega, LLC, by Warren Welch - Applicant and Emerling Resources, LLC - Property Owner, seeks to rezone 83.505 acres fronting on the south side of Dawsonville Highway (State Route 9/State Route 52) across from Clay Creek Falls Road from PUD (Planned Unit Development District) to PUD (Planned Unit Development District). Proposed use: Mixed Use Development (132 detached single-family lots; 136 townhome lots; and, 17,000 square feet of commercial building space) (development of regional impact #4518) - Land Lots 681, 718, 719, 720, 752, and 753; District 12; 1st Section; Lumpkin County; Map/Parcels 045-063 and 045-066; 550 and 497 Dawsonville Highway
Doug Parks, City Attorney

The Commission discussed several items, including whether City staff had received any information from the Mayor regarding a possible moratorium; whether to include a condition requiring a one-to-one ratio of bedrooms to bathrooms; potential turning lanes; the existence of additional rental properties maintained by the Applicant; clarification regarding the Pedestrian Access Easement; and, concerns regarding sewer capacity.

Allison Martin, City Manager, and Warren Welch, Applicant, addressed the Commission regarding the inquiries made during the discussion.

There was a motion by Commissioner Guy and a second by Commissioner Feagin to recommend approval of REZN 25-06, an application by The Overlook of Dahlenega, LLC, by Warren Welch - Applicant and Emerling Resources, LLC - Property Owner, seeking to rezone 83.505 acres fronting on the south side of Dawsonville Highway (State Route 9/State Route 52) across from Clay Creek Falls Road from PUD (Planned Unit Development District) to PUD - Land Lots 681, 718, 719, 720, 752, and 753; District 12; 1st Section; Lumpkin County; Map/Parcels 045-063 and 045-066; 550 and 497 Dawsonville Highway, with conditions 1 through 13 as recommended by the Consultant with modifications and with direction for the Applicant to work with the City’s Legal Counsel to develop additional zoning conditions addressing the establishment of a thirty percent rental capacity (to be a condition rather than an HOA covenant) and a zoning condition to prevent student-oriented rentals (e.g., prohibiting rental by the bedroom for units with more than one bedroom and/or requiring at least one fewer full bathroom than bedroom count).

The conditions read as follows:

1. **Generally.** As required by the Dahlonaga zoning ordinance, the site plan and letter of intent are adopted by reference and are conditions of approval. Any major deviation from the approved site plan and/or letter of intent, as determined by the zoning administrator, shall require an amendment to the approved PUD zoning district following applicable zoning procedures.
2. **Uses.** Uses within the PUD shall be limited to those as described in the letter of intent and as shown on the site plan. Within the commercial area, commercial uses shall be limited to those permitted in the B-1 (Neighborhood Business) zoning district. The zoning administrator may authorize accessory uses and structures not specifically described in said letter of intent or shown on the site plan.
3. **Access and highway frontage improvements.** There shall be at least two project entrances from Dawsonville Highway (SR 9), both of which shall meet requirements of the Georgia Department of Transportation (GDOT) and which unless otherwise approved by GDOT and the city shall include deceleration lanes and left-turn lanes. One of the project entrances shall align with Clay Creek Falls Road.
4. **Water and sewer improvements.** The owner shall be required to provide public water and sanitary sewer connections and upgrade sewer lift station(s) to serve the development at no cost to the city.
5. **Commercial area access.** No access directly from the commercial area to Dawsonville Highway (SR 9) shall be authorized.
6. **Commercial building architecture.** Unless otherwise approved by the City Council, the architecture of buildings in the commercial area shall have pitched roofs with deep (1' or greater) overhangs, and wood or masonry siding (i.e., brick or stone, or brick or stone veneer, but excluding "thin brick" or "thin stone").
7. **Frontage for internal open space.** There shall be at least 30 feet of street access to the central open space (i.e., that area surrounded by townhouse lots).
8. **Street standards.** All streets within the PUD shall be designed to meet city standards and specifications for public streets, including but not limited to right of way, pavement width, cul-de-sac right of way and pavement radii, and maximum grade. Deviations to city street standards shall only be made by variance application approved by City Council.
9. **Street "A".** The principal street ("A") shall have a center median separating directions of travel, except for median cuts necessary to access adjacent land uses. Said center median shall be planted with street trees of species and at spacing/ on-center intervals approved by the zoning administrator.
10. **Amenity area development timing.** No more than 100 permits for dwelling units shall be issued for the PUD by the city until the amenity area is permitted, constructed, and ready for occupancy. The dog-walking area

shown on the site plan shall be developed prior to issuance of more than 68 building permits for fee-simple townhouse units. The walking trail within the PUD shall be phased such that construction takes place no later than the same time development abutting that portion of the trail network is constructed or final plat for adjacent lots is approved.

11. **Townhouse dwelling phasing.** No more than 68 building permits for townhouse units shall be issued until a final plat(s) for at least 34 detached single-family units is approved by the city.
12. **Pedestrian access connections.** The owner shall provide minimum 10-foot-wide pedestrian access easements and construct improved (cleared and paved or impervious) walking paths within the easements as follows, prior to final plat approval for the respective lots (exact locations are subject to the approval of the zoning administrator):
 - a. At least two pedestrian access ways between the townhouse building with units 1-7 and the townhouse building with units 22-27 (connecting to fire pit shown on the site plan).
 - b. At least three pedestrian access ways between townhouse buildings with units 34 through 68 (connecting to the peripheral walking trail).
 - c. At least four pedestrian access ways connecting the central open space and street network between townhouse buildings with units 69 through 111.
 - d. At least two pedestrian access ways between townhouse buildings with units 112 through 136 (connecting to the peripheral walking trail).
 - e. At least one pedestrian access way between single-family dwelling lots 1 through 10 (connecting the adjacent street to the peripheral walking trail).
 - f. At least one pedestrian access way between single-family dwelling lots 11 through 20 (connecting the adjacent street to the peripheral walking trail).
 - g. At least one pedestrian access way between single-family dwelling lots 21 through 29 (connecting the adjacent street to the peripheral walking trail).
 - h. At least one pedestrian access way between single-family dwelling lots 30 through 45 (connecting the adjacent street to the peripheral walking trail).
 - i. One mid-block pedestrian access way connecting Road "B" (south) and Road "C" at or near the common side lot boundary between single-family lots 93-95 and 108-110.

- j. One mid-block pedestrian access way connecting Road "B" (north) and Road "C" at or near the common side lot boundary of lots 77/78 and lots 63/64.
- 13. **Stormwater management areas.** A minimum 20-foot-wide access easement shall be provided from the nearest adjacent street and stormwater management areas. Stormwater ponds shall be fenced; if chain link is utilized it shall be vinyl coated.
- 14. Hardie plank siding shall be allowed in the commercial area.
- 15. The maximum size of nature trail entrances shall be four feet to prevent motorized vehicle access; said entrances shall be allowed within the required thirty-five-foot (35') setback.

Motion carried with four members in favor (Feagin, Guy, Norton, and Steinberg) and one member absent (O'Gorman).

ADJOURNMENT

There was a motion by Commissioner Feagin and a second by Commissioner Guy to adjourn the Regular Meeting.

Motion carried with four members in favor (Feagin, Guy, Norton, and Steinberg) and one member absent (O'Gorman), and the Regular Meeting was adjourned at 8:28 p.m.

Guideline Principles - The City of Dahlongega will be an open, honest, and responsive city that balances preservation and growth and delivers quality services fairly and equitably by being good stewards of its resources. To ensure the vibrancy of our community, Dahlongega commits to Transparency and Honesty, Dedication and Responsibility, Preservation and Sustainability, Safety and Welfare...for ALL!



Agenda Memo

DATE: 11/4/2025
TITLE: REZN 25-04
PRESENTED BY: Doug Parks, City Attorney
PRIORITY Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

REZN 25-04 Annexation and Zoning: Bryan Bergstein, applicant and property owner, seeks annexation and PUD (Planned Unit Development) zoning for 4.30 acres (Land Lot 145, 2nd District, 1st Section, Lumpkin County) (Map/Parcel 081 009) fronting 384.22 feet on the west side of South Chestatee Street (SR 60/ US Hwy 19) 162 feet northwest of Old Village Lane (a.k.a. 3400 South Chestatee Street). Existing character area in unincorporated Lumpkin County is gateway corridor. Proposed use: Fee simple townhouses (40 units).

HISTORY/PAST ACTION

None.

FINANCIAL IMPACT

None.

RECOMMENDATION

Approval.

SUGGESTED MOTIONS

Motions to approve when action is to be taken.

ATTACHMENTS

Consulting Planner's report.

CONSULTING PLANNER'S REPORT

TO: Dahlonge Planning Commission and City Council
c/o Doug Parks, City Attorney

FROM: Jerry Weitz, Consulting Planner

DATE: October 17, 2025

SUBJECT: **REZN 25-04** Annexation and Planned Unit Development (PUD) zoning

PUBLIC HEARINGS: November 4, 2025 @ 6:00 p.m. (Planning Commission)
_____, (Mayor and City Council)

APPLICANT: Bryan Bergstein

OWNER(S): Bryan Bergstein

LOCATION: Fronting 384.22 feet on the west side of South Chestatee Street (SR 60/ US Hwy 19) 162 feet northwest of Old Village Lane (a.k.a. 3400 South Chestatee Street) (Land Lot 145, 2nd District, 1st Section, Lumpkin County)

PARCEL #: 081 009

ACREAGE: 4.30

EXISTING USE: Detached, single-family dwelling and accessory structure

PROPOSED USE: Fee simple townhouses (40 lots/units)

SURROUNDING LAND USE/ZONING:

NORTH: Vacant (conservation use), agricultural preservation character area (unincorporated)

EAST: (across SR 60): Vacant, Planned Unit Development (PUD) District

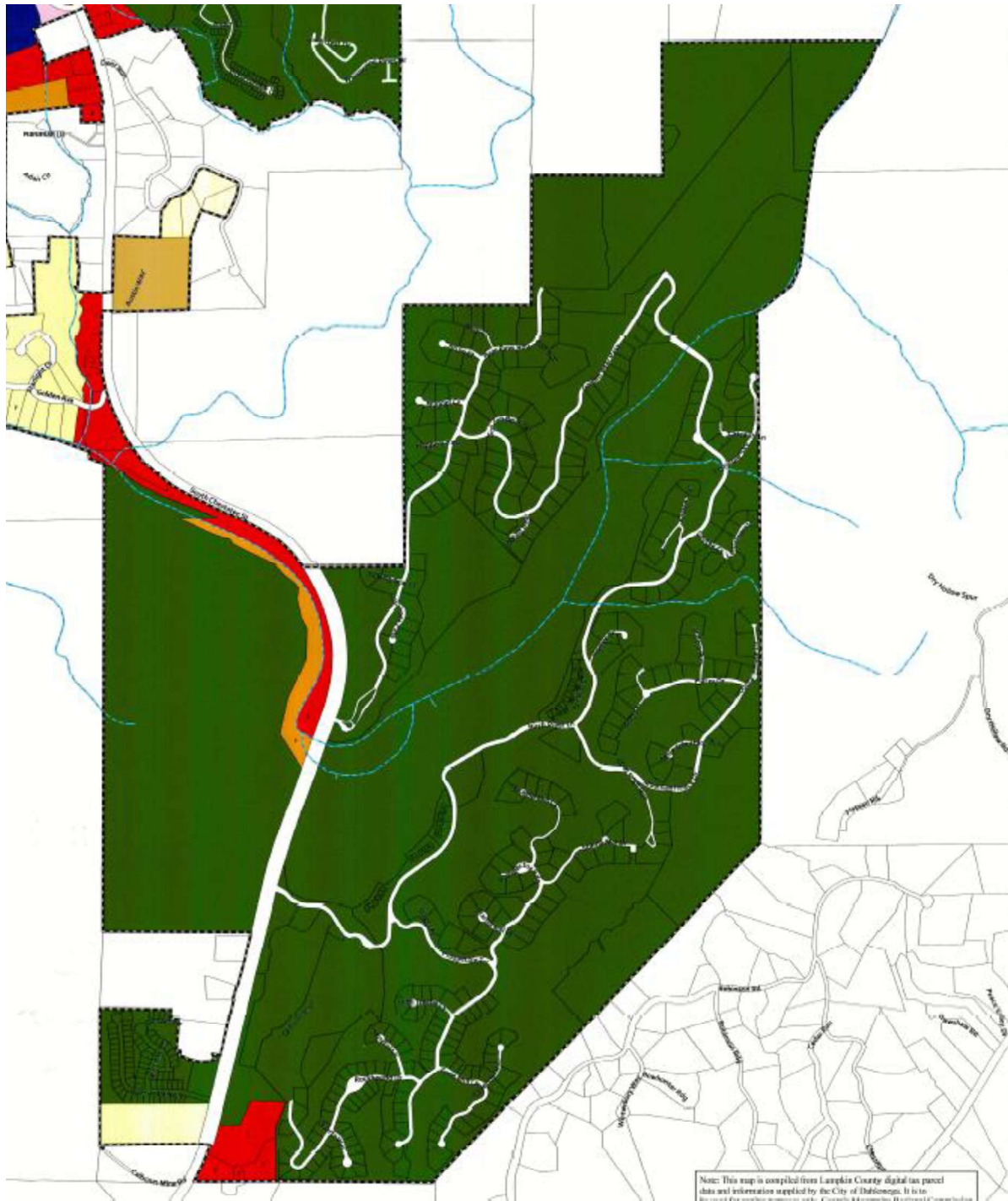
SOUTH: Vacant (open space for River Knoll subdivision), PUD; church, PUD

WEST: Vacant (open space for River Knoll subdivision), PUD

RECOMMENDATION: **Approval, conditional**



Tax Map/Aerial Photograph of Property (property outlined in blue)



Dahlongega Zoning Map Excerpt
(green = PUD zoning) (red = B-2 zoning) (yellow = R-1 zoning)

ABOUT PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICTS

Definition and Intentions

The Dahlonga zoning ordinance defines “Planned Unit Development” as follows: “A form of development usually characterized by a unified site design for a number of housing units, clustered buildings, common open space, density increases, and a mix of building types and land uses.” The purposes and intentions of the PUD zoning district are specified in Sec. 1301 of the zoning ordinance and include: flexible development standards, a mix of residential unit types, and a mix of land uses.

Permitted Uses

The PUD zoning district is very flexible with regard to land uses. Sec. 1302 of the zoning district indicates a PUD zoning district can include: “any land uses and combinations thereof, including signs and accessory buildings and uses, which have been specifically proposed by the applicant and approved by the Governing Body as a part of a Planned Unit Development site plan, report, and/or other supporting information.”

Submission Requirements

Sec. 1303 of the zoning ordinance, relative to PUD zoning districts, indicates that a development summary report is required which lists each land use and the acreage devoted to each, along with the proposed development standards such as building setbacks, maximum density, intensity of nonresidential buildings, and so forth. The time frame for construction is also supposed to be included. A site plan is required (Sec. 1304 zoning ordinance). The city may also require architectural elevations or other materials and information to be included in PUD zoning applications.

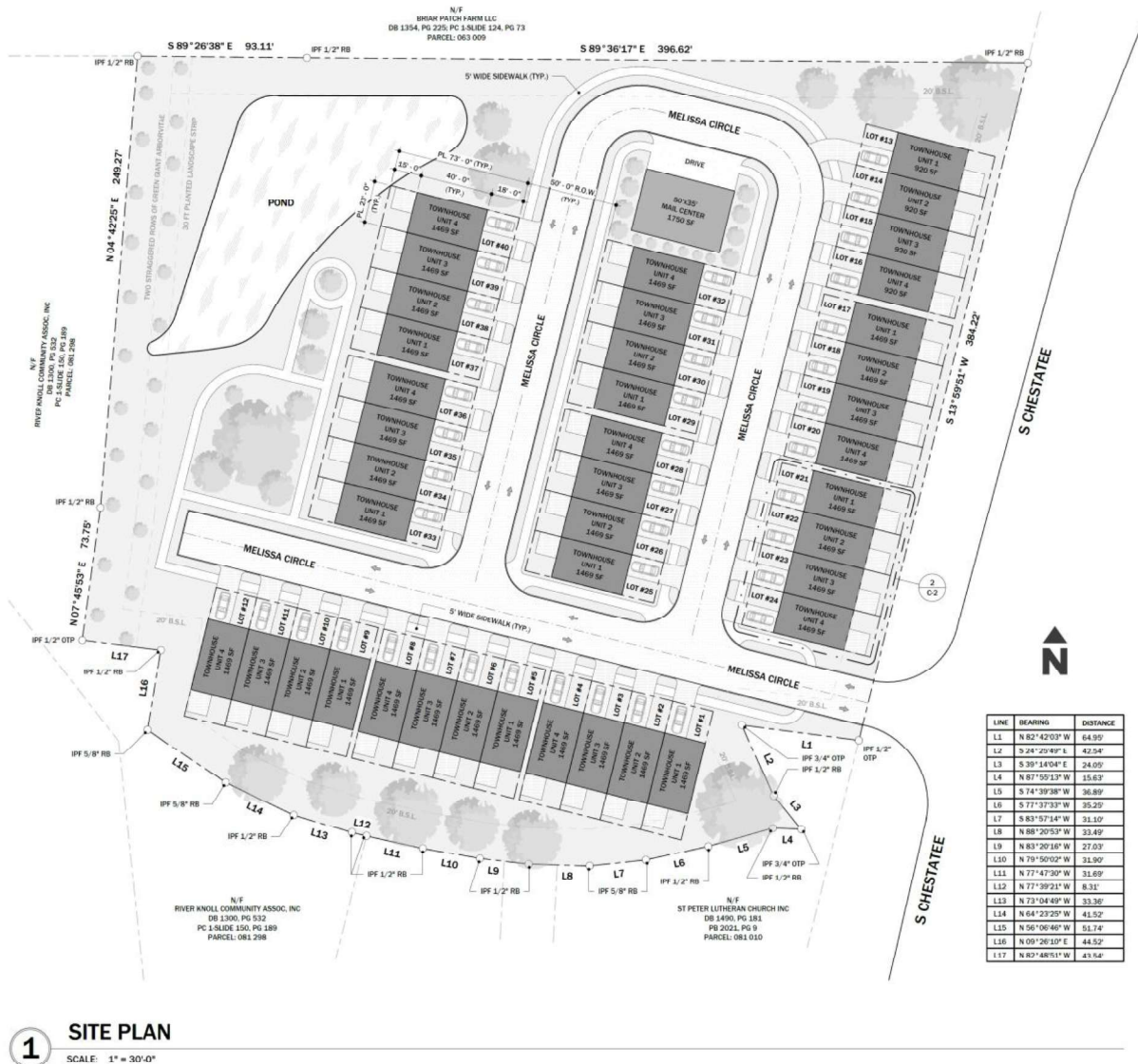
Sec. 1305 of the zoning ordinance provides that the application materials if approved by the city (including approved development summary report, site plan, and all other information, studies, plats, plans or architectural elevations submitted in the application, or required to be submitted by the Governing Body) “shall establish the standards and minimum requirements for the subject property and shall become the zoning regulations that apply to the subject property, regardless of changes in property ownership.” This means that the application materials if approved (unless modified by the city) are binding on the property.

District Standards and Requirements

To establish a PUD zoning district, a minimum of two acres with a minimum frontage of 100 feet is required (Sec. 1307 zoning ordinance). The application meets and exceeds these basic requirements.

Dahlonga’s zoning ordinance also specifies “suggested site planning guidelines” (Sec. 1308). Guidelines are not mandatory but should be considered; this report addresses the

extent to which the proposed PUD zoning district meets suggested site planning guidelines.



Site Plan Excerpt

SUMMARY OF PROPOSAL

The applicant seeks annexation and Planned Unit Development (PUD) District zoning for a 40-lot/unit (fee-simple townhouse) residential development on 4.30 acres fronting on the west side of State Route 60. The application includes a letter of intent addressing zoning decision criteria listed on the city's application form (included in this report), a site plan (excerpted in this report), a list of all dimensional requirements (attached to this report) and a document titled "Dahlonega Village" which includes architectural elevations of the proposed buildings. The 21-page Dahlonega Village document with architectural elevations is provided under separate cover.

ANALYSIS OF CONSISTENCY WITH PUD DEVELOPMENT GUIDELINES (Sec. 1308 zoning ordinance)

This report section analyses the application in terms of the site planning guidelines provided for the PUD zoning district. Strict compliance with all guidelines is not required, although successive departures from the guidelines should be considered grounds for disapproval of the requested PUD zoning district.

- 1. Land uses which have traditionally been viewed as incompatible (e.g. single-family subdivision and a manufacturing plant) should not be proposed in the same Planned Unit Development unless considerable screening and physical separation is provided.***

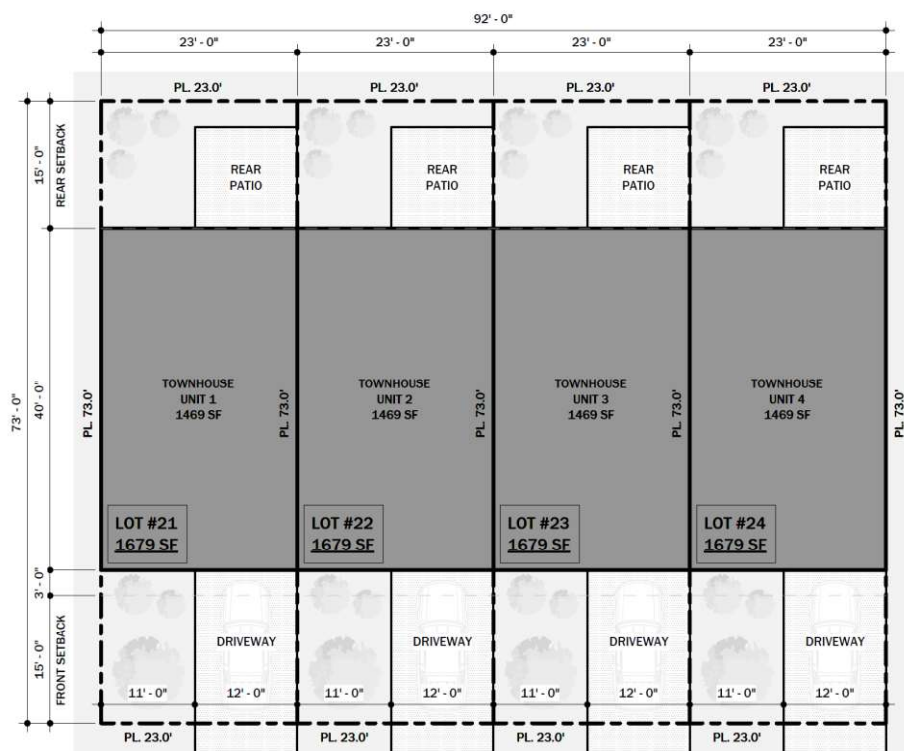
Finding: The application does not propose incompatible uses (*meets guideline*).

- 2. Office, commercial and/or industrial uses should be located adjacent to major thoroughfares or in other areas with suitable access that will not result in traffic through residential areas.***

Finding: Not applicable. The proposed PUD does not include nonresidential uses (*inapplicable*).

- 3. Lot sizes, lot widths, unit sizes and other characteristics of residential development within the Planned Unit Development should be similar to those characteristics of adjacent or nearby residential subdivisions or provide a suitable transition from such adjacent uses.***

Finding: Per the dimensional requirements proposed in the application, each lot will have a minimum lot width of 23 feet and a minimum lot area of 2,500 square feet. These dimensions are considered with the range of convention for fee-simple townhouse lots. See also the typical lot diagram provided from the site plan above. The overall density proposed is approximately 9.3 units per acre; while the density may be higher than the adjacent subdivision, it is considered compatible and appropriate (*meets guideline*).



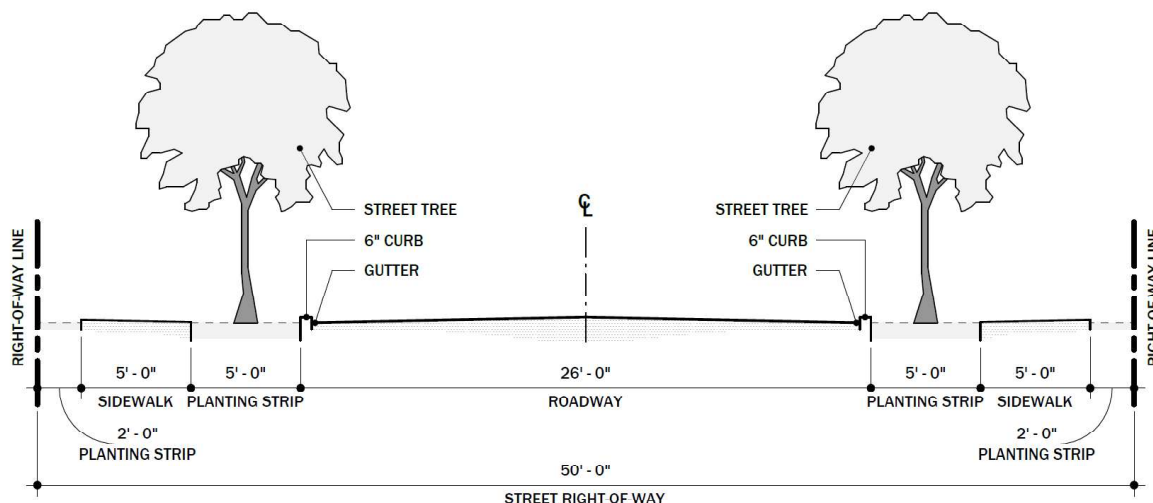
2 TYPICAL 4 UNIT TOWNHOUSE LOT PLAN
SCALE: 3/32" = 1'-0"

4. Location of land uses should conform substantially with land use plan goals, policies and suggested types of uses.

Finding: See the zoning criteria discussed in a later section of this report relative to consistency with land use plan goals, policies, and suggested land uses.

5. Street lengths, alignments, patterns and other characteristics should conform to city subdivision regulations or standard planning principles.

Finding: The proposed PUD includes the subdivision of land and the construction of a new public street to serve the development. The applicant has provided a typical street crosssection on the site plan which is also provided below. A condition of zoning approval is included that requires the street to be public and to meet all city requirements unless a subsequent variance is applied for and granted by City Council (**supports conditional approval**).



3

TYPICAL RIGHT-OF-WAY SECTION

SCALE: 3/16" = 1'-0"

6. *Proposed developments should make maximum use of natural features of the land.*

Finding: ***Mostly inapplicable or mostly consistent.*** The subject property does not have a stream or water body on it and does not appear to have significant or unique natural features. The topography of the subject property (shown on a map below) is significant. The site has approximately 50 feet of change in elevation; topography changes from an elevation of 1020' along the western property line to its low point of approximately 1,174' near the front of the property at SR 60.

7. *For developments that are predominantly residential, only limited commercial uses (up to 10,000 square feet, or 10% of the total development site area) of a convenience retail nature, internally oriented and intended to serve the needs of the residents of the development, should be proposed.*

Finding: Inapplicable. The proposed project does not include any commercial uses.



Topography (Lumpkin County Q Public)

ZONING CRITERIA

Section 2607 of the Dahlonega zoning ordinance articulates the criteria by which an application for rezoning should be evaluated. They are as follows:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonge.
5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

This report provides consulting planner's findings below. The applicant has addressed criteria in writing as provided in the zoning application (see attachment to this report)

Note: The Planning Commission and City Council may adopt the findings and determinations provided in this report as written (provided below), if appropriate, or it may modify them. The planning commission and city council may cite one or more of these in its own determinations, as it determines appropriate. The Planning Commission and City Council may modify the language provided here, as necessary, in articulating its own findings. Or, the Planning Commission and City Council can reject these findings and make their own determinations and findings for one or more of the criteria as specified in the Dahlonge zoning ordinance and any additional considerations it determines appropriate.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Finding: To the west and part of the south property line, the subject property abuts common area (open space) for the River Knoll residential subdivision. The River Knoll subdivision is best characterized as a fee-simple duplex (two-family dwelling) subdivision, where two dwelling units are attached in a single building but each unit is on its own lot owned by the unit owner. Homes in River Knoll subdivision are generally 2,250 to 2,800 square feet in heated floor area, with an estimated values from the tax assessor of from approximately \$350,000 to \$475,000. Lot sizes are approximately 0.11 acre. Homes in the River Knoll subdivision were constructed over several years, between 2006 and 2018, per the county tax assessor.

To the north of the subject property is a 23-acre undeveloped parcel that is in conservation use; the tax assessor's property record has a picture identifying the tract as a "wildlife sanctuary."

To the south, in front of River Knoll subdivision and fronting on both sides of River Knoll Way and the west side of SR 60 is a 7,200-square foot church constructed in 2024, according to the county tax assessor.

To the east of the subject property, across SR 60, is a vacant 6.17-acre tract that fronts on SR 60 and the north and south sides of Old Village Lane; while this tract is classified as residential by the tax assessor, it may be held or anticipated for future commercial development.



Church abutting south property line

Immediately east of this vacant tract but not abutting SR 60 is a large (182-acre) developed parcel owned by Kingwood Dahlonega International Resort (essentially a golf course and recreational area along with homes in a master planned development). The resort is also accessed via Birch River Drive north of the subject property. Across SR 60 and south of the subject property is a mini-storage facility (Highway 60 Self Storage) in the city zoned B-2.

The proposed PUD as proposed, and as proposed to be conditioned in this report, is considered compatible with surrounding and nearby land uses **(meets criterion/supports request)**.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Finding: The applicant has reportedly met with residents of the River Knoll subdivision and has clearly attempted to address potential offsite impacts of the proposed PUD, such as lighting, access, and buffering. The proposed PUD is not expected to adversely affect the use or usability of adjacent or nearby property which includes conservation use property and the church abutting it **(meets criterion)**.

3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Finding: Utility availability and capacity are not evaluated in this report **(inconclusive)**, but public water and sanitary sewer are readily available to the site. The additional dwelling units will have some impact on schools and are expected to add

modestly to the county school system's student population. The PUD if approved and constructed will result in additional traffic, but it should not be excessive or burdensome, given that the Georgia Department of Transportation will require road improvements to accommodate the additional traffic generated (**meets criterion**).

4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonega.

Finding: Because the subject property is not currently inside the city limits, it is not addressed in the city's comprehensive plan. The subject property is within the "gateway corridor" character area established by the Character Area and Road Classification Map of the Lumpkin County comprehensive plan. Commercial development, offices, and high density residential uses are all consistent with the narrative for the gateway corridor character area (see p. 28 of the county comprehensive plan) (**meets criterion/supports request**). However, the description of the gateway corridor character area also stresses the need to "... maintain the rural and scenic vistas that are important to the county's citizens..." To this end, the county has prepared and adopted **design guidelines for the gateway corridor overlay district**, dated September 2022. The applicant is aware of this document and has prepared and submitted architectural elevation drawings in an effort to be consistent with said overlay district guidelines. See the separate document not incorporated herein, titled "Dahlonega Village" (21 pp.). While the county's guidelines emphasize small scale (less than 2-acre development and less than 10,000 square foot buildings), the guidelines also urge the ability of developers to (with a higher level of review) negotiate approvals of larger scale developments and planned unit developments (p. 5). The materials proposed appear to be consistent with the county's overlay district guidelines for gateway corridors (**supports request/meets criterion**).

5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

Finding: The applicant withdrew the original PUD zoning request which had proposed apartments and a commercial center in the front along the highway. The revised application and site plan for 40 fee-simple townhouse units is responsive to original concerns of the neighborhood and those identified by the consulting planner (**supports request/meets criterion**).

CONCLUSIONS

Annexation of the subject property is considered appropriate, given that it is surrounded on three sides by Dahlonega city limits. The applicant has prepared a good application overall, has set forth detailed information regarding the architecture and development compatibility, and has met with the adjacent River Knoll subdivision residents in an effort to respond to any concerns. The application is especially responsive to county design guidelines regarding the use of exterior building material finishes.

This report evaluates the proposed PUD zoning district with the criteria for zoning decisions specified in the Dahlonega zoning ordinance. The application is consistent with most if not all of the criteria. The public facility impacts from the project, if approved and constructed, will not be excessive or burdensome. The applicant has demonstrated that the proposal is consistent with several (if not all) of the county's gateway corridor overlay district guidelines.

This report also analyzes the project's consistency with PUD development guidelines specified in Sec. 1308 of the Dahlonega zoning ordinance. The county's guidelines should be considered advisory at best, and the guidelines codified in the zoning ordinance for PUDs should be considered though they too are advisory only. The application meets most of these PUD district guidelines, while others are mostly inapplicable given the small size of the proposed PUD.

In sum, the site is appropriate for annexation, and PUD zoning is also considered appropriate. Consulting planner recommends approval of the annexation and PUD zoning, conditional, subject to the conditions recommended in this report.

RECOMMENDED CONDITIONS OF ZONING APPROVAL

If this zoning application is approved, it should be approved PUD (Planned Unit Development), conditional, subject to the owner's agreement to abide by the following conditions:

1. **Generally.** As required by the Dahlonega zoning ordinance, the letter of intent, dimensional requirements, and "Dahlonega Village" (21-page) narrative, and the conceptual site plan submitted with the application are adopted by reference and are conditions of approval. Any major deviation from the approved application, as determined by the zoning administrator, shall require an amendment to the approved PUD zoning district following applicable zoning procedures.
2. **Uses.** Uses within the PUD shall be limited to those as described in the letter of intent and application materials and as shown on the site plan. The zoning administrator may authorize accessory uses and structures not specifically described in said application materials or not shown on the site plan.
3. **Highway improvements.** The owner/developer shall be required to install improvements along SR 60 as specified by the Georgia Department of Transportation (GDOT).
4. **Water and sewer improvements.** The owner shall be required to provide public water and sanitary sewer connections necessary to connect the project to the city's water and sanitary sewer systems at no cost to the city.
5. **Street standards.** All streets within the PUD shall be designed to meet city standards and specifications for a local (city) public street and shall be public streets dedicated to the city. Any deviations to city street standards shall only be made by variance application approved by City Council.
6. **Common area parking spaces.** Parking proposed to surround the central square shall be located entirely on private (common area) property, not within any public street right of way, though vehicles utilizing the spaces may back into the street right of way. The conditions, covenants and restrictions for the Planned Unit Development shall assign maintenance responsibility for all parking spaces on common areas abutting the public street to the homeowners association and shall not become the maintenance responsibility of the city.
7. **Stormwater management areas.** A minimum 20-foot wide access easement shall be provided from the nearest adjacent street to stormwater management areas. Stormwater ponds shall be fenced; if chain link is utilized, it shall be vinyl coated.

8. **Vehicular restriction to the peripheral sidewalk network.** After construction, motorized vehicle access construction to the peripheral sidewalk shall be restricted except for: (a) maintenance activities authorized by the homeowner's association; and (b) public safety/ emergency access by public safety departments. The means of restricting access to the peripheral sidewalk network shall be approved by the zoning administrator but may include bollards at entrances which are removable (to provide vehicular access) only by the homeowner's association or public safety personnel.
9. **Covenant and restriction pertaining to rental.** No more than 30% of the residential units may be rented by individual owners to other parties, at any given time. This restriction shall be and remain an enforceable zoning condition. In addition, the covenants, conditions and restrictions for the PUD shall have provisions that effectuate the 30% cap at any one time on rental of residential dwelling units. The conditions, covenants and restrictions for the development shall be subject to approval by the zoning administrator to ensure that specifics of enforcing the rental restrictions are included. The rental restrictions shall also specifically include a prohibition against the rental of individual bedrooms of any residential dwelling unit in the project that has more than one bedroom.

Letter of Intent – Rezoning Application

1. The existing uses and zoning of nearby property and whether the proposed zoning will adversely affect the existing use or usability of nearby property.

The subject property is located within the Gateway Corridor Overlay District in unincorporated Lumpkin County and is surrounded by low-density residential and undeveloped parcels. The proposed rezoning to support a 40-unit, fee simple townhome community is compatible with the surrounding uses and will not adversely impact neighboring properties. In fact, this townhome model reflects direct feedback from local Dahlonega residents, who expressed a strong preference for owner-occupied homes rather than rental apartments or commercial buildings. The plan eliminates previous retail and multifamily rental components and instead introduces a thoughtfully scaled, for-sale residential neighborhood that promotes community stability, long-term investment, and visual harmony with the area's character. Landscaping buffers, architecture aligned with Gateway Overlay standards, and thoughtful site layout ensure that the project enhances the corridor without disrupting nearby land uses.

2. The extent to which property values are diminished by the particular zoning restrictions.

The current zoning restricts the property to uses that underutilize its location and potential. By maintaining limitations inconsistent with current growth and housing needs, the existing zoning suppresses opportunities for both the subject property and nearby parcels to appreciate in value. In contrast, rezoning to allow a 40-unit, fee simple townhome community enables an appropriately scaled, owner-occupied residential development that aligns with rising market demand for attainable homeownership in Dahlonega. Owner-occupied housing is widely recognized for stabilizing and enhancing long-term property values, and this plan responds to both housing needs and citizen feedback. The rezoning will directly benefit the surrounding area by introducing a well-managed, high-quality neighborhood that contributes to both market strength and community cohesion.

3. The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.

Maintaining the current zoning fails to advance the general welfare of the community and limits the property's ability to contribute to broader public goals. By contrast, the proposed rezoning to allow for fee simple townhomes directly supports the health, safety, and welfare of the public by encouraging long-term residency, investment, and neighborhood stability. Homeownership is associated with increased civic engagement, lower turnover, and higher property maintenance standards — all of which benefit surrounding areas. Moreover, by eliminating the previously proposed rental apartments and commercial strip, this plan addresses resident concerns about traffic, rental saturation, and over-commercialization. Instead, it promotes a walkable, attractive, and appropriately scaled community that strengthens Dahlonega's character and livability.

4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.

Rezoning the property to support a 40-unit fee simple townhome development yields clear and meaningful public benefits. These include a new supply of owner-occupied housing, improved architectural character along a key corridor, and alignment with the Gateway Overlay's emphasis on quality, context-sensitive design. The townhome plan responds directly to community feedback opposing high-density rentals and commercial development, offering instead a neighborhood that strengthens local identity and promotes homeownership. In contrast, maintaining the current zoning imposes a hardship on the property owner by preventing the land from being developed in a way that meets both market demand and public preference. The community benefits substantially from reduced traffic impact, improved aesthetic continuity, and increased housing access — all without the perceived negatives associated with rental or retail uses.

5. The physical suitability of the subject property for development as presently zoned and under the proposed zoning district.

The subject property's size, location, topography, and access make it well-suited for the proposed townhome development. The 4.3-acre parcel has direct frontage on South Chestatee Street (State Route 60), access to utilities, and a relatively manageable slope that accommodates roadways, building pads, drainage systems, and landscaped buffers. While the current zoning would only permit low-density single-family development, that would represent an inefficient use of a strategically located, infill site within the Gateway Corridor. The proposed zoning for fee simple townhomes maximizes land efficiency while maintaining a scale compatible with the surrounding area. The design preserves open space, provides sufficient parking and stormwater controls, and reinforces the intent of the overlay district to accommodate responsible, high-quality growth in this gateway location.

6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.

The property has remained vacant for years despite its prime location at the entrance to Dahlonega, adjacent to a growing residential corridor with existing infrastructure. Meanwhile, land development patterns in the surrounding area have evolved — with increasing demand for housing options that balance affordability, quality, and homeownership. Recent public input revealed strong local preference for fee simple townhomes over rental apartments or commercial retail. These preferences, coupled with the region's overall growth and the Gateway Overlay District's call for context-sensitive development, represent clear changes in conditions that justify the proposed rezoning. This plan delivers a timely and appropriate response to modern development

needs by enabling attainable ownership housing that fits the community's values and supports long-term neighborhood stability.

7. The zoning history of the subject property.

The subject property is currently located in unincorporated Lumpkin County and falls within the Gateway Corridor Overlay District under the county's performance zoning system. The parcel has not previously been zoned within the City of Dahlonega and has remained undeveloped. This application represents the first formal request for annexation into the city limits and seeks zoning that supports a fee simple townhome community. The property was previously considered for a mixed-use PUD concept with apartments and commercial retail, but in response to feedback from local residents and stakeholders, the plan has been revised to eliminate those elements in favor of a lower-impact, ownership-focused residential development that better aligns with community goals and the city's vision for the South Chestatee corridor.

8. The extent to which the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities.

The proposed fee simple townhome community will not result in excessive or burdensome demands on public infrastructure or services. Compared to the previously considered mixed-use plan with apartments and commercial space, the townhome-only approach reduces both trip generation and utility loads. The site has direct access to SR 60 and will be served by a single entrance designed to meet city standards. Water and sewer utilities are available and have sufficient capacity to support the proposed 40 units. The impact on schools is expected to be modest due to the ownership model and typical demographics of townhome communities. Furthermore, the project includes internal sidewalks, open space, and buffer areas, limiting demand on nearby parks and encouraging walkability. Overall, the development is scaled to integrate efficiently with existing infrastructure and services.

9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan, or other adopted plans.

The proposed townhome development aligns closely with the City of Dahlonega's 2024 Comprehensive Plan and the character and design goals of the Gateway Corridor Overlay District. The South Chestatee corridor is designated as a gateway transition zone encouraging walkable, context-sensitive, moderate-density development that enhances the visual appeal and functionality of the area. By eliminating previous plans for rental apartments and retail uses, this proposal delivers a more community-supported alternative: fee simple townhomes that promote long-term residency, homeownership, and design consistency with the overlay's aesthetic and site planning standards. The development furthers adopted goals for infill housing, land use efficiency, and corridor enhancement while addressing direct input from residents. It is a model of the kind of responsible, high-quality growth the City's land use policies were designed to enable.

DAHLONEGA VILLAGE

DIMENSIONAL REQUIREMENTS



1

Dahlonega Village

Zoning Designation: Planned Unit Development (PUD)

Overlay District: Gateway Corridor Overlay District (GCO)

✓ Residential Dimensional Criteria (Townhomes in PUD Context)

Minimum Lot Area: No fixed minimum under PUD; 2,500–3,100 SF per unit shown on plan (compliant)

Minimum Lot Width: No fixed standard in PUD; 23 ft shown on plan, typical for townhome PUDs

Minimum Heated Floor Area: Not specified in ordinance; proposed 1,464–1,469 SF/unit exceeds typical RM/PUD minimums

Building Height Maximum: 35 ft (GCO cap), project height ~28 ft (2 stories + pitched roof) = compliant

Front Setback: 20 ft minimum in GCO; project shows 20–25 ft = compliant

Side Setback: 0 ft internal between attached units; 10 ft at perimeter or end units = compliant under PUD model

Rear Setback: 10–15 ft typical shown; meets PUD precedent where alley or buffer is provided

Building Separation: 10 ft minimum between rear façades or across alleys per fire/separation code = met

Building Coverage: No fixed percentage cap in PUD; estimated at ~60% from site plan, which preserves open space = compliant

Open Space: 20% required under PUD precedent and Overlay; your layout shows adequate green and landscaped area across common elements

Landscape Buffer (GCO): 10 ft required along S. Chestatee, with native vegetation or privacy fencing — must be shown on plan



DAHLONEGA
VILLAGE

Dahlonega Village

Parking Requirements (Per GCO and RM Equivalents)

Residential Requirement: 2 spaces per unit minimum

Proposed Total Parking: 117 spaces (2.93 per unit: garage, driveway, guest)

Compliance: Fully exceeds city standard; structured to encourage driveway stacking and interior alley design

Materials & Massing – Gateway Overlay Compliance

Material Palette: Must include brick, wood, cementitious siding, or high-quality composites; elevations show GCO-compliant massing and finish options

Roof Pitch: Must be 4:12 or steeper; AD design meets/exceeds this

Street Presence: Façades facing S. Chestatee must avoid blank walls, include architectural features and pedestrian scale = shown in renderings

Utilities: Underground installation required within Overlay

Conclusion: All dimensional and overlay requirements are either explicitly satisfied or are well within accepted PUD precedent as interpreted by Dahlonega staff and their third-party consultants. The submitted layout aligns with current zoning practice and overlay compliance.



Boundary Survey



Agenda Memo

DATE: 11/4/2025
TITLE: REZN 25-10
PRESENTED BY: Allison Martin, City Manager
PRIORITY Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

REZN 25-10- Pinetree Way

HISTORY/PAST ACTION

The applicant's request for amendment to the existing PUD has been received and reviewed by city staff. It was determined that additional information was needed to complete the review of the application. Due to an accident resulting in significant time for recovery, the applicant's representative was unable to provide essential information required by the city and the city's outside consultant. It is requested that this item be postponed until the next Planning Commission meeting to provide the applicant's representative with additional time to provide the information. This will also provide ample time for staff to review and complete the staff report which will then be presented to the commission.

FINANCIAL IMPACT

n/a

RECOMMENDATION

It is the recommendation of staff that this item be postponed until the next Planning Commission meeting.

SUGGESTED MOTIONS

I make a motion to postpone item REZN 25-10 until the next Planning Commission agenda which will occur on December 2, 2025, at 6:00 p.m. here at City Hall. (Note: This motion needs to be exact.)

ATTACHMENTS

n/a



Agenda Memo

DATE: 11/4/2025
TITLE: REZN 25-04
PRESENTED BY: Doug Parks, City Attorney
PRIORITY Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

REZN 25-04 Annexation and Zoning: Bryan Bergstein, applicant and property owner, seeks annexation and PUD (Planned Unit Development) zoning for 4.30 acres (Land Lot 145, 2nd District, 1st Section, Lumpkin County) (Map/Parcel 081 009) fronting 384.22 feet on the west side of South Chestatee Street (SR 60/ US Hwy 19) 162 feet northwest of Old Village Lane (a.k.a. 3400 South Chestatee Street). Existing character area in unincorporated Lumpkin County is gateway corridor. Proposed use: Fee simple townhouses (40 units).

HISTORY/PAST ACTION

None.

FINANCIAL IMPACT

None.

RECOMMENDATION

Approval.

SUGGESTED MOTIONS

Motions to approve when action is to be taken.

ATTACHMENTS

Consulting Planner's report.

CONSULTING PLANNER'S REPORT

TO: Dahlonge Planning Commission and City Council
c/o Doug Parks, City Attorney

FROM: Jerry Weitz, Consulting Planner

DATE: October 17, 2025

SUBJECT: **REZN 25-04** Annexation and Planned Unit Development (PUD) zoning

PUBLIC HEARINGS: November 4, 2025 @ 6:00 p.m. (Planning Commission)
_____, (Mayor and City Council)

APPLICANT: Bryan Bergstein

OWNER(S): Bryan Bergstein

LOCATION: Fronting 384.22 feet on the west side of South Chestatee Street (SR 60/ US Hwy 19) 162 feet northwest of Old Village Lane (a.k.a. 3400 South Chestatee Street) (Land Lot 145, 2nd District, 1st Section, Lumpkin County)

PARCEL #: 081 009

ACREAGE: 4.30

EXISTING USE: Detached, single-family dwelling and accessory structure

PROPOSED USE: Fee simple townhouses (40 lots/units)

SURROUNDING LAND USE/ZONING:

NORTH: Vacant (conservation use), agricultural preservation character area (unincorporated)

EAST: (across SR 60): Vacant, Planned Unit Development (PUD) District

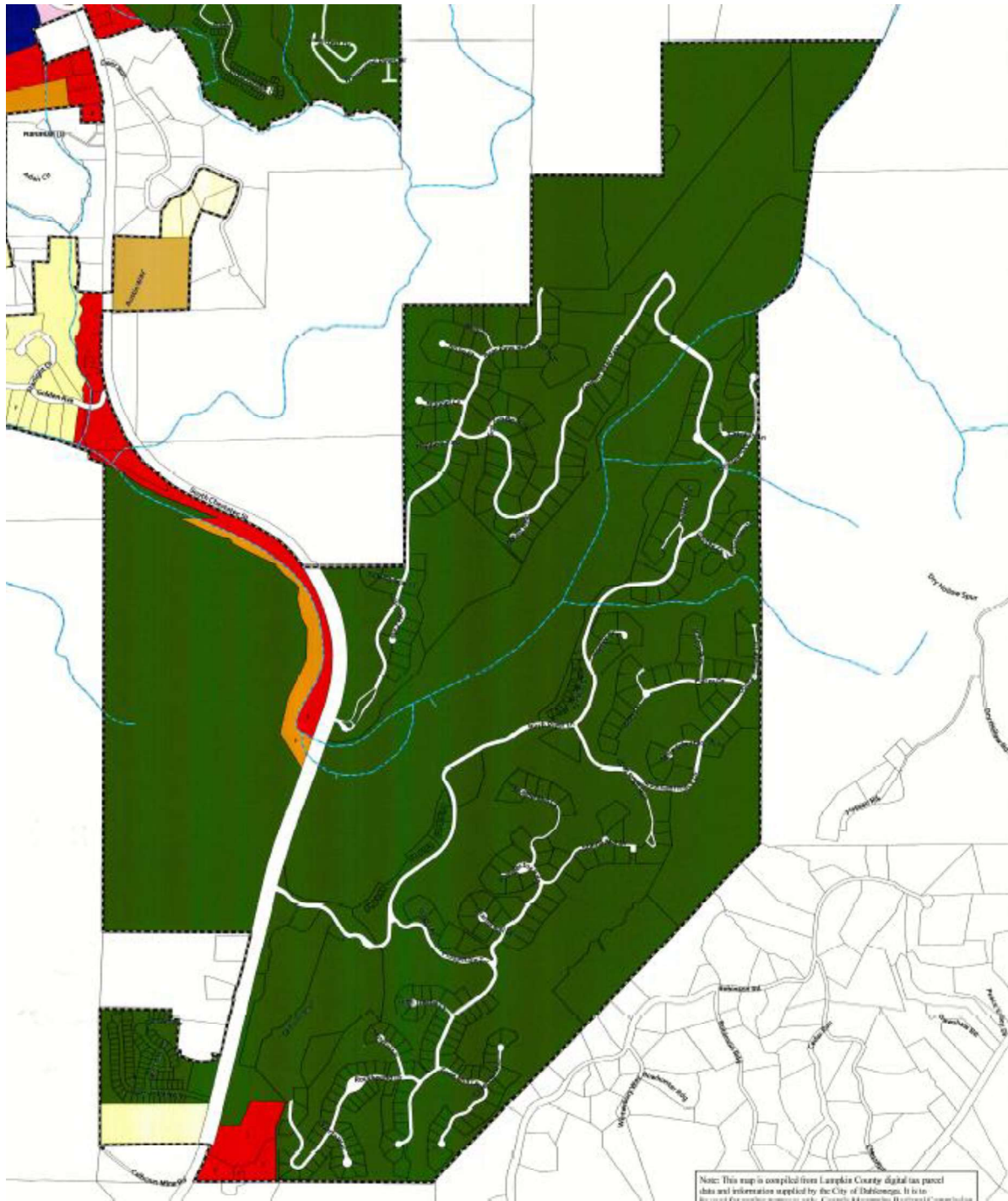
SOUTH: Vacant (open space for River Knoll subdivision), PUD; church, PUD

WEST: Vacant (open space for River Knoll subdivision), PUD

RECOMMENDATION: **Approval, conditional**



Tax Map/Aerial Photograph of Property (property outlined in blue)



Dahlongega Zoning Map Excerpt
(green = PUD zoning) (red = B-2 zoning) (yellow = R-1 zoning)

ABOUT PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICTS

Definition and Intentions

The Dahlonga zoning ordinance defines “Planned Unit Development” as follows: “A form of development usually characterized by a unified site design for a number of housing units, clustered buildings, common open space, density increases, and a mix of building types and land uses.” The purposes and intentions of the PUD zoning district are specified in Sec. 1301 of the zoning ordinance and include: flexible development standards, a mix of residential unit types, and a mix of land uses.

Permitted Uses

The PUD zoning district is very flexible with regard to land uses. Sec. 1302 of the zoning district indicates a PUD zoning district can include: “any land uses and combinations thereof, including signs and accessory buildings and uses, which have been specifically proposed by the applicant and approved by the Governing Body as a part of a Planned Unit Development site plan, report, and/or other supporting information.”

Submission Requirements

Sec. 1303 of the zoning ordinance, relative to PUD zoning districts, indicates that a development summary report is required which lists each land use and the acreage devoted to each, along with the proposed development standards such as building setbacks, maximum density, intensity of nonresidential buildings, and so forth. The time frame for construction is also supposed to be included. A site plan is required (Sec. 1304 zoning ordinance). The city may also require architectural elevations or other materials and information to be included in PUD zoning applications.

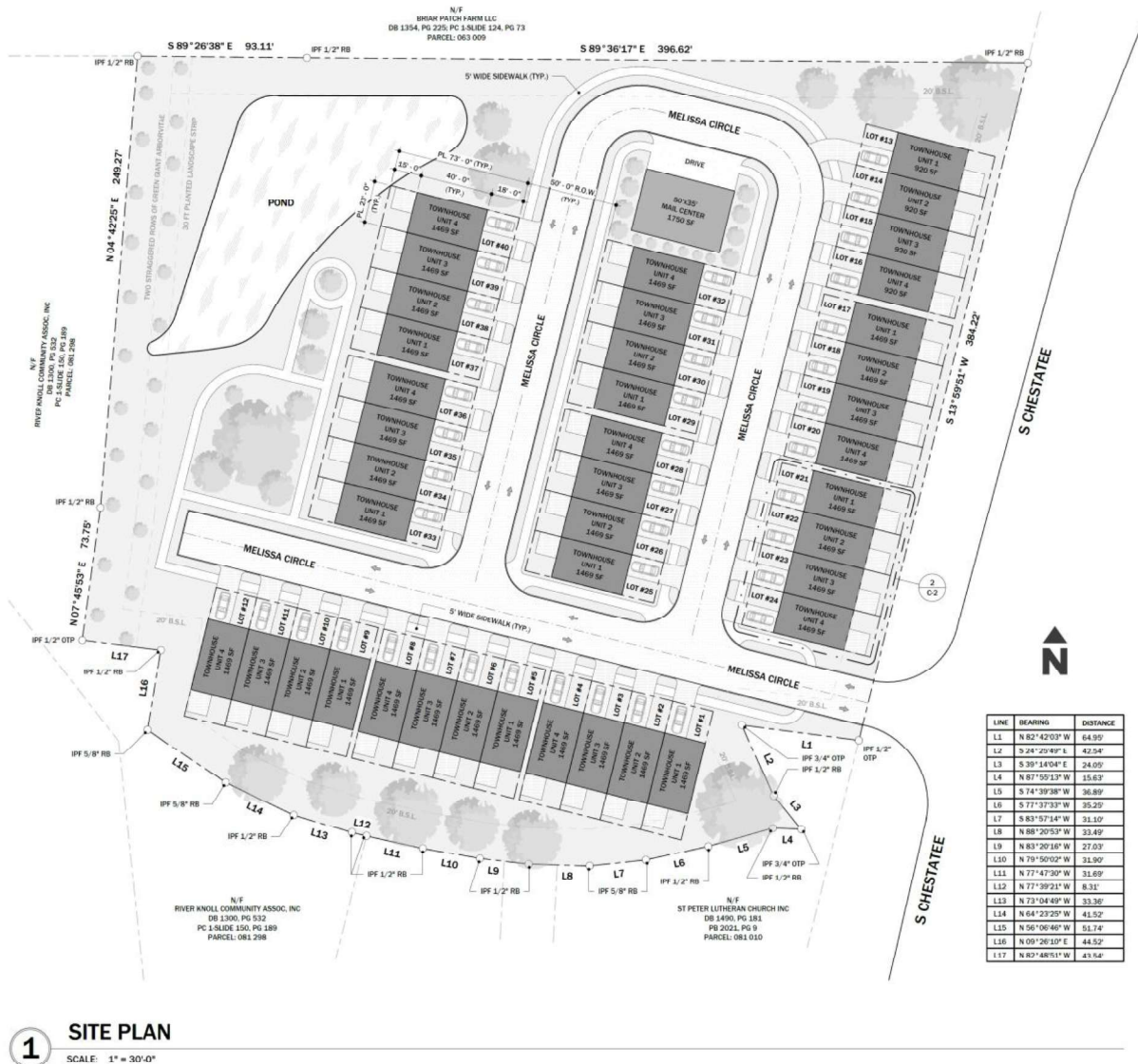
Sec. 1305 of the zoning ordinance provides that the application materials if approved by the city (including approved development summary report, site plan, and all other information, studies, plats, plans or architectural elevations submitted in the application, or required to be submitted by the Governing Body) “shall establish the standards and minimum requirements for the subject property and shall become the zoning regulations that apply to the subject property, regardless of changes in property ownership.” This means that the application materials if approved (unless modified by the city) are binding on the property.

District Standards and Requirements

To establish a PUD zoning district, a minimum of two acres with a minimum frontage of 100 feet is required (Sec. 1307 zoning ordinance). The application meets and exceeds these basic requirements.

Dahlonga’s zoning ordinance also specifies “suggested site planning guidelines” (Sec. 1308). Guidelines are not mandatory but should be considered; this report addresses the

extent to which the proposed PUD zoning district meets suggested site planning guidelines.



Site Plan Excerpt

SUMMARY OF PROPOSAL

The applicant seeks annexation and Planned Unit Development (PUD) District zoning for a 40-lot/unit (fee-simple townhouse) residential development on 4.30 acres fronting on the west side of State Route 60. The application includes a letter of intent addressing zoning decision criteria listed on the city's application form (included in this report), a site plan (excerpted in this report), a list of all dimensional requirements (attached to this report) and a document titled "Dahlonga Village" which includes architectural elevations of the proposed buildings. The 21-page Dahlonga Village document with architectural elevations is provided under separate cover.

ANALYSIS OF CONSISTENCY WITH PUD DEVELOPMENT GUIDELINES (Sec. 1308 zoning ordinance)

This report section analyses the application in terms of the site planning guidelines provided for the PUD zoning district. Strict compliance with all guidelines is not required, although successive departures from the guidelines should be considered grounds for disapproval of the requested PUD zoning district.

- 1. Land uses which have traditionally been viewed as incompatible (e.g. single-family subdivision and a manufacturing plant) should not be proposed in the same Planned Unit Development unless considerable screening and physical separation is provided.***

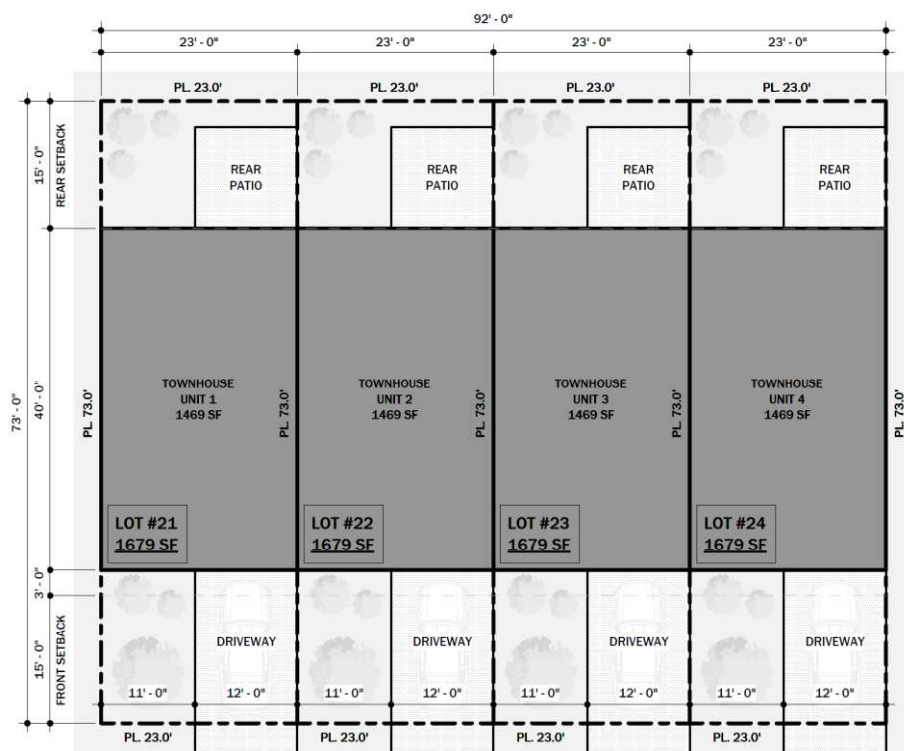
Finding: The application does not propose incompatible uses (***meets guideline***).

- 2. Office, commercial and/or industrial uses should be located adjacent to major thoroughfares or in other areas with suitable access that will not result in traffic through residential areas.***

Finding: Not applicable. The proposed PUD does not include nonresidential uses (***inapplicable***).

- 3. Lot sizes, lot widths, unit sizes and other characteristics of residential development within the Planned Unit Development should be similar to those characteristics of adjacent or nearby residential subdivisions or provide a suitable transition from such adjacent uses.***

Finding: Per the dimensional requirements proposed in the application, each lot will have a minimum lot width of 23 feet and a minimum lot area of 2,500 square feet. These dimensions are considered with the range of convention for fee-simple townhouse lots. See also the typical lot diagram provided from the site plan above. The overall density proposed is approximately 9.3 units per acre; while the density may be higher than the adjacent subdivision, it is considered compatible and appropriate (***meets guideline***).



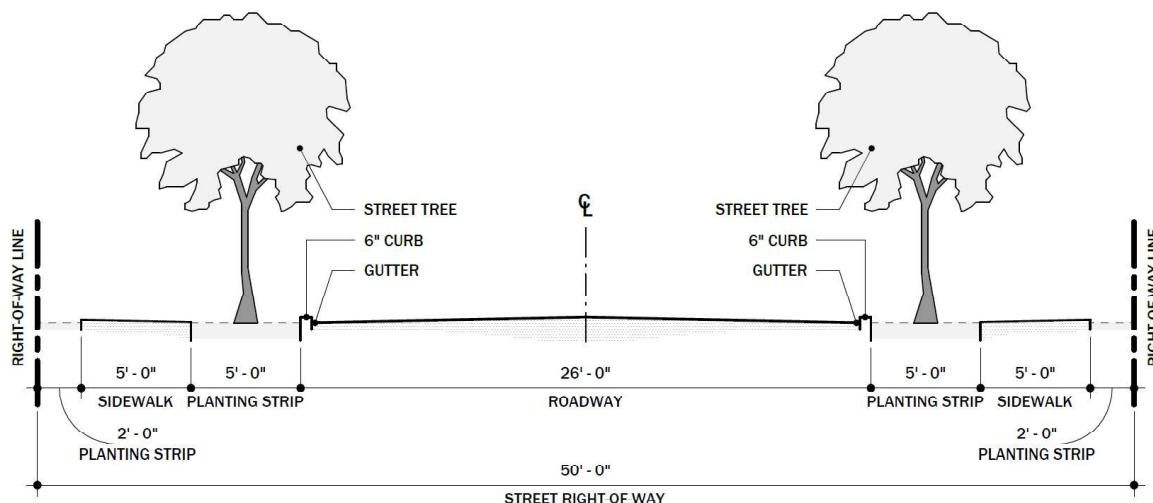
2 TYPICAL 4 UNIT TOWNHOUSE LOT PLAN
SCALE: 3/32" = 1'-0"

4. Location of land uses should conform substantially with land use plan goals, policies and suggested types of uses.

Finding: See the zoning criteria discussed in a later section of this report relative to consistency with land use plan goals, policies, and suggested land uses.

5. Street lengths, alignments, patterns and other characteristics should conform to city subdivision regulations or standard planning principles.

Finding: The proposed PUD includes the subdivision of land and the construction of a new public street to serve the development. The applicant has provided a typical street crosssection on the site plan which is also provided below. A condition of zoning approval is included that requires the street to be public and to meet all city requirements unless a subsequent variance is applied for and granted by City Council (**supports conditional approval**).



3

TYPICAL RIGHT-OF-WAY SECTION

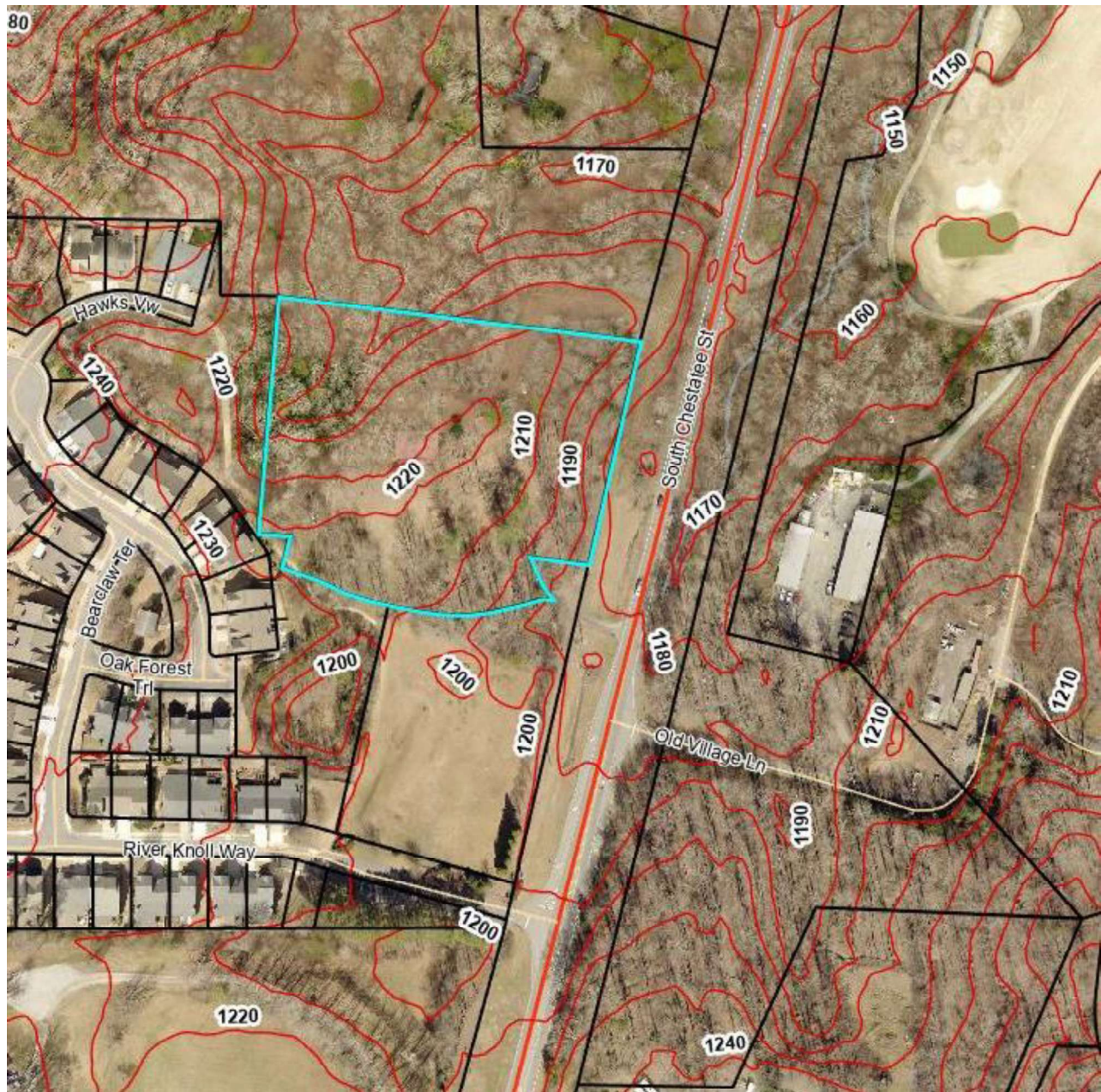
SCALE: 3/16" = 1'-0"

6. Proposed developments should make maximum use of natural features of the land.

Finding: ***Mostly inapplicable or mostly consistent.*** The subject property does not have a stream or water body on it and does not appear to have significant or unique natural features. The topography of the subject property (shown on a map below) is significant. The site has approximately 50 feet of change in elevation; topography changes from an elevation of 1020' along the western property line to its low point of approximately 1,174' near the front of the property at SR 60.

7. For developments that are predominantly residential, only limited commercial uses (up to 10,000 square feet, or 10% of the total development site area) of a convenience retail nature, internally oriented and intended to serve the needs of the residents of the development, should be proposed.

Finding: Inapplicable. The proposed project does not include any commercial uses.



Topography (Lumpkin County Q Public)

ZONING CRITERIA

Section 2607 of the Dahlonega zoning ordinance articulates the criteria by which an application for rezoning should be evaluated. They are as follows:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlongega.
5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

This report provides consulting planner's findings below. The applicant has addressed criteria in writing as provided in the zoning application (see attachment to this report)

Note: The Planning Commission and City Council may adopt the findings and determinations provided in this report as written (provided below), if appropriate, or it may modify them. The planning commission and city council may cite one or more of these in its own determinations, as it determines appropriate. The Planning Commission and City Council may modify the language provided here, as necessary, in articulating its own findings. Or, the Planning Commission and City Council can reject these findings and make their own determinations and findings for one or more of the criteria as specified in the Dahlongega zoning ordinance and any additional considerations it determines appropriate.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Finding: To the west and part of the south property line, the subject property abuts common area (open space) for the River Knoll residential subdivision. The River Knoll subdivision is best characterized as a fee-simple duplex (two-family dwelling) subdivision, where two dwelling units are attached in a single building but each unit is on its own lot owned by the unit owner. Homes in River Knoll subdivision are generally 2,250 to 2,800 square feet in heated floor area, with an estimated values from the tax assessor of from approximately \$350,000 to \$475,000. Lot sizes are approximately 0.11 acre. Homes in the River Knoll subdivision were constructed over several years, between 2006 and 2018, per the county tax assessor.

To the north of the subject property is a 23-acre undeveloped parcel that is in conservation use; the tax assessor's property record has a picture identifying the tract as a "wildlife sanctuary."

To the south, in front of River Knoll subdivision and fronting on both sides of River Knoll Way and the west side of SR 60 is a 7,200-square foot church constructed in 2024, according to the county tax assessor.

To the east of the subject property, across SR 60, is a vacant 6.17-acre tract that fronts on SR 60 and the north and south sides of Old Village Lane; while this tract is classified as residential by the tax assessor, it may be held or anticipated for future commercial development.



Church abutting south property line

Immediately east of this vacant tract but not abutting SR 60 is a large (182-acre) developed parcel owned by Kingwood Dahlonega International Resort (essentially a golf course and recreational area along with homes in a master planned development). The resort is also accessed via Birch River Drive north of the subject property. Across SR 60 and south of the subject property is a mini-storage facility (Highway 60 Self Storage) in the city zoned B-2.

The proposed PUD as proposed, and as proposed to be conditioned in this report, is considered compatible with surrounding and nearby land uses **(meets criterion/supports request)**.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Finding: The applicant has reportedly met with residents of the River Knoll subdivision and has clearly attempted to address potential offsite impacts of the proposed PUD, such as lighting, access, and buffering. The proposed PUD is not expected to adversely affect the use or usability of adjacent or nearby property which includes conservation use property and the church abutting it **(meets criterion)**.

3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Finding: Utility availability and capacity are not evaluated in this report **(inconclusive)**, but public water and sanitary sewer are readily available to the site. The additional dwelling units will have some impact on schools and are expected to add

modestly to the county school system's student population. The PUD if approved and constructed will result in additional traffic, but it should not be excessive or burdensome, given that the Georgia Department of Transportation will require road improvements to accommodate the additional traffic generated **(meets criterion)**.

4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonega.

Finding: Because the subject property is not currently inside the city limits, it is not addressed in the city's comprehensive plan. The subject property is within the "gateway corridor" character area established by the Character Area and Road Classification Map of the Lumpkin County comprehensive plan. Commercial development, offices, and high density residential uses are all consistent with the narrative for the gateway corridor character area (see p. 28 of the county comprehensive plan) **(meets criterion/supports request)**. However, the description of the gateway corridor character area also stresses the need to "... maintain the rural and scenic vistas that are important to the county's citizens..." To this end, the county has prepared and adopted **design guidelines for the gateway corridor overlay district**, dated September 2022. The applicant is aware of this document and has prepared and submitted architectural elevation drawings in an effort to be consistent with said overlay district guidelines. See the separate document not incorporated herein, titled "Dahlonega Village" (21 pp.). While the county's guidelines emphasize small scale (less than 2-acre development and less than 10,000 square foot buildings), the guidelines also urge the ability of developers to (with a higher level of review) negotiate approvals of larger scale developments and planned unit developments (p. 5). The materials proposed appear to be consistent with the county's overlay district guidelines for gateway corridors **(supports request/meets criterion)**.

5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

Finding: The applicant withdrew the original PUD zoning request which had proposed apartments and a commercial center in the front along the highway. The revised application and site plan for 40 fee-simple townhouse units is responsive to original concerns of the neighborhood and those identified by the consulting planner **(supports request/meets criterion)**.

CONCLUSIONS

Annexation of the subject property is considered appropriate, given that it is surrounded on three sides by Dahlonaga city limits. The applicant has prepared a good application overall, has set forth detailed information regarding the architecture and development compatibility, and has met with the adjacent River Knoll subdivision residents in an effort to respond to any concerns. The application is especially responsive to county design guidelines regarding the use of exterior building material finishes.

This report evaluates the proposed PUD zoning district with the criteria for zoning decisions specified in the Dahlonaga zoning ordinance. The application is consistent with most if not all of the criteria. The public facility impacts from the project, if approved and constructed, will not be excessive or burdensome. The applicant has demonstrated that the proposal is consistent with several (if not all) of the county's gateway corridor overlay district guidelines.

This report also analyzes the project's consistency with PUD development guidelines specified in Sec. 1308 of the Dahlonaga zoning ordinance. The county's guidelines should be considered advisory at best, and the guidelines codified in the zoning ordinance for PUDs should be considered though they too are advisory only. The application meets most of these PUD district guidelines, while others are mostly inapplicable given the small size of the proposed PUD.

In sum, the site is appropriate for annexation, and PUD zoning is also considered appropriate. Consulting planner recommends approval of the annexation and PUD zoning, conditional, subject to the conditions recommended in this report.

RECOMMENDED CONDITIONS OF ZONING APPROVAL

If this zoning application is approved, it should be approved PUD (Planned Unit Development), conditional, subject to the owner's agreement to abide by the following conditions:

1. **Generally.** As required by the Dahlonega zoning ordinance, the letter of intent, dimensional requirements, and "Dahlonega Village" (21-page) narrative, and the conceptual site plan submitted with the application are adopted by reference and are conditions of approval. Any major deviation from the approved application, as determined by the zoning administrator, shall require an amendment to the approved PUD zoning district following applicable zoning procedures.
2. **Uses.** Uses within the PUD shall be limited to those as described in the letter of intent and application materials and as shown on the site plan. The zoning administrator may authorize accessory uses and structures not specifically described in said application materials or not shown on the site plan.
3. **Highway improvements.** The owner/developer shall be required to install improvements along SR 60 as specified by the Georgia Department of Transportation (GDOT).
4. **Water and sewer improvements.** The owner shall be required to provide public water and sanitary sewer connections necessary to connect the project to the city's water and sanitary sewer systems at no cost to the city.
5. **Street standards.** All streets within the PUD shall be designed to meet city standards and specifications for a local (city) public street and shall be public streets dedicated to the city. Any deviations to city street standards shall only be made by variance application approved by City Council.
6. **Common area parking spaces.** Parking proposed to surround the central square shall be located entirely on private (common area) property, not within any public street right of way, though vehicles utilizing the spaces may back into the street right of way. The conditions, covenants and restrictions for the Planned Unit Development shall assign maintenance responsibility for all parking spaces on common areas abutting the public street to the homeowners association and shall not become the maintenance responsibility of the city.
7. **Stormwater management areas.** A minimum 20-foot wide access easement shall be provided from the nearest adjacent street to stormwater management areas. Stormwater ponds shall be fenced; if chain link is utilized, it shall be vinyl coated.

8. **Vehicular restriction to the peripheral sidewalk network.** After construction, motorized vehicle access construction to the peripheral sidewalk shall be restricted except for: (a) maintenance activities authorized by the homeowner's association; and (b) public safety/ emergency access by public safety departments. The means of restricting access to the peripheral sidewalk network shall be approved by the zoning administrator but may include bollards at entrances which are removable (to provide vehicular access) only by the homeowner's association or public safety personnel.
9. **Covenant and restriction pertaining to rental.** No more than 30% of the residential units may be rented by individual owners to other parties, at any given time. This restriction shall be and remain an enforceable zoning condition. In addition, the covenants, conditions and restrictions for the PUD shall have provisions that effectuate the 30% cap at any one time on rental of residential dwelling units. The conditions, covenants and restrictions for the development shall be subject to approval by the zoning administrator to ensure that specifics of enforcing the rental restrictions are included. The rental restrictions shall also specifically include a prohibition against the rental of individual bedrooms of any residential dwelling unit in the project that has more than one bedroom.

Letter of Intent – Rezoning Application

1. The existing uses and zoning of nearby property and whether the proposed zoning will adversely affect the existing use or usability of nearby property.

The subject property is located within the Gateway Corridor Overlay District in unincorporated Lumpkin County and is surrounded by low-density residential and undeveloped parcels. The proposed rezoning to support a 40-unit, fee simple townhome community is compatible with the surrounding uses and will not adversely impact neighboring properties. In fact, this townhome model reflects direct feedback from local Dahlonega residents, who expressed a strong preference for owner-occupied homes rather than rental apartments or commercial buildings. The plan eliminates previous retail and multifamily rental components and instead introduces a thoughtfully scaled, for-sale residential neighborhood that promotes community stability, long-term investment, and visual harmony with the area's character. Landscaping buffers, architecture aligned with Gateway Overlay standards, and thoughtful site layout ensure that the project enhances the corridor without disrupting nearby land uses.

2. The extent to which property values are diminished by the particular zoning restrictions.

The current zoning restricts the property to uses that underutilize its location and potential. By maintaining limitations inconsistent with current growth and housing needs, the existing zoning suppresses opportunities for both the subject property and nearby parcels to appreciate in value. In contrast, rezoning to allow a 40-unit, fee simple townhome community enables an appropriately scaled, owner-occupied residential development that aligns with rising market demand for attainable homeownership in Dahlonega. Owner-occupied housing is widely recognized for stabilizing and enhancing long-term property values, and this plan responds to both housing needs and citizen feedback. The rezoning will directly benefit the surrounding area by introducing a well-managed, high-quality neighborhood that contributes to both market strength and community cohesion.

3. The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.

Maintaining the current zoning fails to advance the general welfare of the community and limits the property's ability to contribute to broader public goals. By contrast, the proposed rezoning to allow for fee simple townhomes directly supports the health, safety, and welfare of the public by encouraging long-term residency, investment, and neighborhood stability. Homeownership is associated with increased civic engagement, lower turnover, and higher property maintenance standards — all of which benefit surrounding areas. Moreover, by eliminating the previously proposed rental apartments and commercial strip, this plan addresses resident concerns about traffic, rental saturation, and over-commercialization. Instead, it promotes a walkable, attractive, and appropriately scaled community that strengthens Dahlonega's character and livability.

4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.

Rezoning the property to support a 40-unit fee simple townhome development yields clear and meaningful public benefits. These include a new supply of owner-occupied housing, improved architectural character along a key corridor, and alignment with the Gateway Overlay's emphasis on quality, context-sensitive design. The townhome plan responds directly to community feedback opposing high-density rentals and commercial development, offering instead a neighborhood that strengthens local identity and promotes homeownership. In contrast, maintaining the current zoning imposes a hardship on the property owner by preventing the land from being developed in a way that meets both market demand and public preference. The community benefits substantially from reduced traffic impact, improved aesthetic continuity, and increased housing access — all without the perceived negatives associated with rental or retail uses.

5. The physical suitability of the subject property for development as presently zoned and under the proposed zoning district.

The subject property's size, location, topography, and access make it well-suited for the proposed townhome development. The 4.3-acre parcel has direct frontage on South Chestatee Street (State Route 60), access to utilities, and a relatively manageable slope that accommodates roadways, building pads, drainage systems, and landscaped buffers. While the current zoning would only permit low-density single-family development, that would represent an inefficient use of a strategically located, infill site within the Gateway Corridor. The proposed zoning for fee simple townhomes maximizes land efficiency while maintaining a scale compatible with the surrounding area. The design preserves open space, provides sufficient parking and stormwater controls, and reinforces the intent of the overlay district to accommodate responsible, high-quality growth in this gateway location.

6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.

The property has remained vacant for years despite its prime location at the entrance to Dahlonega, adjacent to a growing residential corridor with existing infrastructure. Meanwhile, land development patterns in the surrounding area have evolved — with increasing demand for housing options that balance affordability, quality, and homeownership. Recent public input revealed strong local preference for fee simple townhomes over rental apartments or commercial retail. These preferences, coupled with the region's overall growth and the Gateway Overlay District's call for context-sensitive development, represent clear changes in conditions that justify the proposed rezoning. This plan delivers a timely and appropriate response to modern development

needs by enabling attainable ownership housing that fits the community's values and supports long-term neighborhood stability.

7. The zoning history of the subject property.

The subject property is currently located in unincorporated Lumpkin County and falls within the Gateway Corridor Overlay District under the county's performance zoning system. The parcel has not previously been zoned within the City of Dahlonega and has remained undeveloped. This application represents the first formal request for annexation into the city limits and seeks zoning that supports a fee simple townhome community. The property was previously considered for a mixed-use PUD concept with apartments and commercial retail, but in response to feedback from local residents and stakeholders, the plan has been revised to eliminate those elements in favor of a lower-impact, ownership-focused residential development that better aligns with community goals and the city's vision for the South Chestatee corridor.

8. The extent to which the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities.

The proposed fee simple townhome community will not result in excessive or burdensome demands on public infrastructure or services. Compared to the previously considered mixed-use plan with apartments and commercial space, the townhome-only approach reduces both trip generation and utility loads. The site has direct access to SR 60 and will be served by a single entrance designed to meet city standards. Water and sewer utilities are available and have sufficient capacity to support the proposed 40 units. The impact on schools is expected to be modest due to the ownership model and typical demographics of townhome communities. Furthermore, the project includes internal sidewalks, open space, and buffer areas, limiting demand on nearby parks and encouraging walkability. Overall, the development is scaled to integrate efficiently with existing infrastructure and services.

9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan, or other adopted plans.

The proposed townhome development aligns closely with the City of Dahlonega's 2024 Comprehensive Plan and the character and design goals of the Gateway Corridor Overlay District. The South Chestatee corridor is designated as a gateway transition zone encouraging walkable, context-sensitive, moderate-density development that enhances the visual appeal and functionality of the area. By eliminating previous plans for rental apartments and retail uses, this proposal delivers a more community-supported alternative: fee simple townhomes that promote long-term residency, homeownership, and design consistency with the overlay's aesthetic and site planning standards. The development furthers adopted goals for infill housing, land use efficiency, and corridor enhancement while addressing direct input from residents. It is a model of the kind of responsible, high-quality growth the City's land use policies were designed to enable.

DAHLONEGA VILLAGE

DIMENSIONAL REQUIREMENTS



1

Dahlonega Village

Zoning Designation: Planned Unit Development (PUD)

Overlay District: Gateway Corridor Overlay District (GCO)

✓ Residential Dimensional Criteria (Townhomes in PUD Context)

Minimum Lot Area: No fixed minimum under PUD; 2,500–3,100 SF per unit shown on plan (compliant)

Minimum Lot Width: No fixed standard in PUD; 23 ft shown on plan, typical for townhome PUDs

Minimum Heated Floor Area: Not specified in ordinance; proposed 1,464–1,469 SF/unit exceeds typical RM/PUD minimums

Building Height Maximum: 35 ft (GCO cap), project height ~28 ft (2 stories + pitched roof) = compliant

Front Setback: 20 ft minimum in GCO; project shows 20–25 ft = compliant

Side Setback: 0 ft internal between attached units; 10 ft at perimeter or end units = compliant under PUD model

Rear Setback: 10–15 ft typical shown; meets PUD precedent where alley or buffer is provided

Building Separation: 10 ft minimum between rear façades or across alleys per fire/separation code = met

Building Coverage: No fixed percentage cap in PUD; estimated at ~60% from site plan, which preserves open space = compliant

Open Space: 20% required under PUD precedent and Overlay; your layout shows adequate green and landscaped area across common elements

Landscape Buffer (GCO): 10 ft required along S. Chestatee, with native vegetation or privacy fencing — must be shown on plan



DAHLONEGA
VILLAGE

Dahlonega Village

Parking Requirements (Per GCO and RM Equivalents)

Residential Requirement: 2 spaces per unit minimum

Proposed Total Parking: 117 spaces (2.93 per unit: garage, driveway, guest)

Compliance: Fully exceeds city standard; structured to encourage driveway stacking and interior alley design

Materials & Massing – Gateway Overlay Compliance

Material Palette: Must include brick, wood, cementitious siding, or high-quality composites; elevations show GCO-compliant massing and finish options

Roof Pitch: Must be 4:12 or steeper; AD design meets/exceeds this

Street Presence: Façades facing S. Chestatee must avoid blank walls, include architectural features and pedestrian scale = shown in renderings

Utilities: Underground installation required within Overlay

Conclusion: All dimensional and overlay requirements are either explicitly satisfied or are well within accepted PUD precedent as interpreted by Dahlonega staff and their third-party consultants. The submitted layout aligns with current zoning practice and overlay compliance.



Boundary Survey



Agenda Memo

DATE: 11/4/2025
TITLE: REZN 25-10
PRESENTED BY: Allison Martin, City Manager
PRIORITY Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

REZN 25-10- Pinetree Way

HISTORY/PAST ACTION

The applicant's request for amendment to the existing PUD has been received and reviewed by city staff. It was determined that additional information was needed to complete the review of the application. Due to an accident resulting in significant time for recovery, the applicant's representative was unable to provide essential information required by the city and the city's outside consultant. It is requested that this item be postponed until the next Planning Commission meeting to provide the applicant's representative with additional time to provide the information. This will also provide ample time for staff to review and complete the staff report which will then be presented to the commission.

FINANCIAL IMPACT

n/a

RECOMMENDATION

It is the recommendation of staff that this item be postponed until the next Planning Commission meeting.

SUGGESTED MOTIONS

I make a motion to postpone item REZN 25-10 until the next Planning Commission agenda which will occur on December 2, 2025, at 6:00 p.m. here at City Hall. (Note: This motion needs to be exact.)

ATTACHMENTS

n/a
