

SPECIALLY CALLED
PAULDING COUNTY PLANNING COMMISSION MEETING
May 31, 2023

The Specially Called meeting of the Paulding County Planning Commission was held on May 31, 2023 in the Watson Government Administration Building. Planning Commission members in attendance were Vice-Chairman Roger Leggett; Jim Henson, Ellis Astin, and Helene Fitzgerald. Board of Commissioners Chairman Dave Carmichael, Commissioner Keith Dunn; Commissioner Virginia Galloway; Commissioner Brian Stover and County Attorney, J. Jayson Phillips were present. Staff in attendance included Community Development Director, Ann Lippmann; Planning and Zoning Division Manager Chris Robinson, Planning and Zoning Senior Administrative Assistant, Leah Wilson; Department of Transportation Director, George Jones; Department of Transportation Deputy Director, Erica Parish; Water and Sewer Department Director, Ray Wooten; and Deputy Rick Mahan from the Paulding County Marshal Bureau.

Planning Commission Vice-Chairman Roger Leggett called the meeting to order at 2:00 PM.

Vice-Chairman Roger Leggett requested everyone turn off or silence all audible devices.

Approval of Minutes

Jim Henson made a motion to adopt the Planning Commission meeting minutes from April 25, 2023; seconded by Helene Fitzgerald. Motion carried. (4-0-0).

FOR: Astin, Fitzgerald, Henson, and Leggett

AGAINST: None

ABSTAIN: None

Printed copies of the agenda and Conduct of Hearing were made available for the public.

Policy and Procedures state applicants and anyone speaking on behalf of the application will have fifteen (15) minutes to make their presentation and any opposition will also have fifteen minutes to present. The fifteen minutes are cumulative for each side. All comments are to be addressed to the Chairman.

It was explained this is a recommending body and any action taken today will be forwarded to the Board of Commissioners for final approval. The Paulding Board of Commissioners next meeting will be June 13, 2023 at 2:00 p.m.

2023-06-Z: Application by **JONATHAN JONES – ELITE ENGINEERING**, requesting to rezone approximately 4.728 acres from B-1 (General Business District) to B-2 (Highway Business District) for a proposed commercial development. Property is located in Land Lot 1057; District 3; Section 3; north of Gullidge Road and Old Cartersville Road. **POST 4.**

Planning & Zoning Division Manager Chris Robinson stated this application and the special use coincide, therefore they will be read together but voted upon separately. Mr. Robinson noted there have been numerous calls with questions, but no opposition. Staff recommends approval with five (5) stipulations as to the rezoning, and three (3) stipulations as to the SUP.

Jonathan Jones, applicant, restated the purpose and intention for the property is for the development of a self-storage facility; He and his client are amenable to the recommendations from staff. Mr. Jones addressed concerns with inter-parcel connectivity and stated he is willing to work with staff to resolve any issues.

There was a brief discussion between Commission members, Staff, and the applicant regarding future plans for the remaining property, child-safety/privacy at the daycare adjacent to the project site and parking & lighting.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one with comments or concerns to the application.

No questions from the Board of Commissioners or Planning Commission.

Planning & Zoning Division Manager Chris Robinson announced an amendment to stipulation #2 in which the applicant is agreeable to the change.

Jim Henson made a motion to **APPROVE** application **2023-06-Z** with six stipulations and amending stipulation #2 as listed:

- 1. Owner/Developer agrees that the proposed mini-storage warehouse and parking facility will be the only B-2 District use allowed. Any new proposed business or land uses requiring the B-2 Zoning District would have to have Board of Commissioners approval through the rezoning process. All B-1 permitted uses would remain to be allowed on the site.**
- 2. Owner/Developer agrees the site and development is subject to the Corridor Overlay District standards.**
- 3. Owner/Developer agrees access to the development shall be determined during the plan review process.**
- 4. Owner/Developer to donate sufficient right of way along property frontage to accommodate an 84' right of way along Gulledege Road (42' from centerline).**
- 5. Owner/Developer to provide interparcel access along Old Cartersville Road to parcels Parcel ID 083.2.2.039.0000 and Parcel ID 083.2.1.066.0000**

Seconded by Ellis Astin Motion carried (3-0-1).

FOR: Astin, Fitzgerald, and Henson
AGAINST: None
ABSTAIN: Leggett

2023-04-SUP: Application by **JONATHAN JONES – ELITE ENGINEERING,** requesting a Special Use Permit in concurrence with the 2023-06-Z commercial development rezoning to construct a self-storage facility with onsite parking. Property is located in Land Lot 1057; District 3; Section 3; north of Gulledge Road and Old Cartersville Road. **POST 4.**

Jim Henson made a motion to **APPROVE** application **2023-06-SUP** with the three (3) listed stipulations:

1. **Owner/Developer agrees to operate gate hours from 7:00 am to 10:00 pm.**
2. **Owner/Developer agrees the proposed buildings will meet Corridor Overlay architecture requirements including building elevations.**
3. **Owner/Developer agrees to install a six foot (6 ft.) black vinyl chain-linked fence around the buildings and parking areas.**

Seconded by Helene Fitzgerald. Motion carried (3-0-1).

FOR: Astin, Fitzgerald, and Henson
AGAINST: None
ABSTAIN: Leggett

2023-07-Z: Application by **JONATHAN JONES – ELITE ENGINEERING,** requesting to rezone 24.53 acres from R-2 (Suburban Residential District) to I-1 (Light Industrial District) and B-2 (Highway Business District) for industrial and commercial uses. Property is located in Land Lot 232; District 19; Section 3; south west corner of Rockmart Hwy and Goldmine Road intersection. Proposed project site address is 358 Goldmine Rd. **POST 2.**

Planning & Zoning Division Manager Chris Robinson mentioned there were several calls with concerns. Staff recommends approval with three (3) stipulations.

Jonathan Jones, applicant, stated his intention for developing a convenience center at the proposed site, citing, to his belief there were no gas stations leaving Rockmart into Dallas. Mr. Jones also mentioned the leftover acre would be constructed into an office warehouse. He and his client are agreeable to the recommendations.

There was a brief discussion as to the timeline of construction, which is to commence in 2024.

No further questions from the Board of Commissioners or Planning Commission.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one with comments or concerns to the application.

Ellis Astin made a motion to **APPROVE** application **2023-07-Z** with the three (3) listed stipulations:

- 1. Owner/Developer agrees access to the development shall be determined during the plan review process.**
- 2. Owner/Developer to provide a traffic impact study for this development. Study parameters and assumptions to be agreed on by Paulding County DOT.**
- 3. Owner/Developer agrees no billboard signs will be located on the site/property.**

Seconded by Jim Henson. Motion carried (3-0-1).

FOR: Astin, Fitzgerald, and Henson
AGAINST: None
ABSTAIN: Leggett

2023-08-Z: Application by **JONATHAN JONES – ELITE ENGINEERING** requesting to rezone 1.381 acres from R-2 (Suburban Residential District) to an amended ~~B-2 (Highway Business)~~ B-1 (General Business) for the expansion of a previously zoned commercial property for the proposed development of a gas station. Property is located in Land Lot 1112; District 2; Section 3; south west corner of Ridge Road and Hiram Douglasville Highway. Site address is 8328 Ridge Road. **POST 3.**

Planning & Zoning Division Manager Chris Robinson mentioned there were no calls with concerns. Staff recommends approval with three (3) stipulations and adding a fourth.

Jonathan Jones, applicant, stated he has been working with PDOT & GDOT to address any traffic or road concerns regarding driveway access points along SR 92, as well as speaking with home owner Jim Smith about inter-parcel connectivity and privacy fencing. Mr. Jones and his client are amenable to staff's recommendations.

Support/Input/Comments

There was one individual to speak on behalf of the application.

Jim Smith, resident/adjacent property owner, voiced his concerns regarding buffer options. Mr. Smith offered having barbed-wire installed atop of the fence.

Opposition/Input/Comments

There was no one with comments or concerns to the application.

Terry Dobbins stated he is not opposed to the fence, however would like to find another solution for the barbed-wire. Mr. Dobbins also mentioned there is no need for a fence and a landscape buffer.

There was a brief discussion addressing Mr. Smith's concerns and possible screening solutions.

No further questions from the Board of Commissioners or Planning Commission.

Ellis Astin made a motion to **APPROVE** application **2023-08-Z** with the three (3) stipulations, adding a fourth as listed:

1. **Owner/Developer agrees the site will be subject to and developed to Corridor Overlay District standards.**
2. **Owner/Developer agrees any full access driveway minimum distance from the intersection of Ridge Road and SR 92 shall be 660' or as determined by the Paulding Department of Transportation during the Plan Review Process.**
3. **Owner/Developer to set back improvements to accommodate the County managed Ridge Road widening project at this location.**
4. **Owner/Developer agrees to install a 6 ft. chain link fence along the southern property line.**

Seconded by Jim Henson. Motion carried (3-0-1).

FOR: Astin, Fitzgerald, and Henson
AGAINST: None
ABSTAIN: Leggett

2023-09-Z: Application by **JONATHAN JONES – ELITE ENGINEERING** requesting to rezone 1 acre from R-2 (Suburban Residential District) to an amended ~~B-2 (Highway Business)~~ B-1 (General Business District) for an expansion of a previously zoned commercial property for the addition to an existing gas station. Property is located in Land Lot 1034; District 19; Section 3; north side of Buchanan Highway, east of Mulberry Rock Road and Buchanan Highway intersection. Site address is 9600 Buchanan Hwy.
POST 2.

Planning & Zoning Division Manager Chris Robinson stated there were no calls in opposition and staff recommends approval with one stipulation.

Jonathan Jones, applicant, expressed this request is to fill-in the property at Al's store. Mr. Jones mentioned the high traffic volume surrounding the store and proposed a two-way entrance to improve the egress/ingress around the store. Mr. Jones touched on plans to improve the existing septic system and water run-off / detention solutions. Both he and his client are agreeable to the recommendations.

No questions from the Board of Commissioners or Planning Commission.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one with comments or concerns to the application.

Ellis Astin made a motion to APPROVE application 2023-09-Z with the listed stipulation:

- 1. Owner/Developer agrees access to SR 120 to be determined during the plan review process subject to GDOT requirements.**

Seconded by Jim Henson. Motion carried (3-0-1).

FOR: Astin, Fitzgerald, and Henson
AGAINST: None
ABSTAIN: Leggett

2023-12-Z: Application by **STANTON PORTER**, requesting to rezone 3.97 acres from R-2 (Suburban Residential District) to B-2 (Highway Business District) to develop a convenience store with gas pumps and retail commercial space. Property is located in Land Lots 976 & 969; District 2; Section 3; northeast corner of Hiram Douglasville (SR 92) and Morningside Drive. (2883 & 2925 Hiram Douglasville Hwy and 41 Morningside Drive). **POST 3.**

Planning & Zoning Division Manager Chris Robinson noted there were no calls with questions or opposition regarding this application. Staff recommends approval with six (6) stipulations.

Meghan Wyatt, representing on behalf of Stanton Porter, expressed their intention to develop a convenience store / gas station on a corner lot as the request would be in concordance with the County's future land use map. The development will have two entrances, a right-in and right-out to assist the flow of traffic. Both she and the client are agreeable to the recommendations.

Virginia Galloway asked what the plans would be for the retail portion, more specifically, if there were going to be any Co-AMs.

Ms. Wyatt answered the clients were still in the planning process with regard to the retail portion of the project.

Ms. Galloway insisted on having no CO-AMs stipulated to this application's recommendations.

Mr. Robinson gave a few examples of permitted uses within the B-2 (Highway Business District).

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one with comments or concerns to the application.

No further questions from the Board of Commissioners or Planning Commission.

County attorney J. Jayson Phillips clarified the verbiage used to describe a CO-AM rather than a gaming or vending machine, being that a CO-AM is a “Coin Operated Amusement Machine” which is regulated by the Georgia Lottery Commission.

Jim Henson made a motion to **APPROVE** application **2023-12-Z** with the six (6) listed stipulations, adding a seventh:

1. **Owner/Developer agrees no billboard signs will be located on the site/property.**
2. **Owner/Developer agrees access to the development shall be determined during the plan review process.**
3. **Owner/Developer agrees to coordinate with the Georgia Department of Transportation (GDOT) and construction contractor on PI# 0007691 widening of SR 92(Hiram Douglasville Highway).**
4. **Owner/Developer agrees that any full access driveway shall be a minimum distance of 660’, measured from radius to radius, from the intersection of Morningside Drive and SR 92.**
5. **Owner/Developer agrees that any right in/ right out driveway shall be a minimum distance of 330’, measured from radius to radius, from the intersection of Morningside Drive and SR 92.**
6. **Owner/Developer agrees to provide a traffic impact study for this development. Study parameters and assumptions to be agreed on by Paulding County DOT.**
7. **Owner/Developer agrees to no Coin Operated Amusement Machines (COAM’s).**

Seconded by Ellis Astin. Motion carried (3-0-1).

FOR: Astin, Fitzgerald, and Henson
AGAINST: None
ABSTAIN: Leggett

2023-02-LUP: Application by **TABITHA FARR** requesting a Land Use Permit on 5 acres of R-2 (Suburban Residential District) to allow for an accessory structure to serve as a residential business providing professional counseling services. Property is located in Land Lot 986; District 2; Section 3; at the south east corner intersection of Rich Davis Road and McClung Road (45 Davis Road). **POST 3.**

Planning & Zoning Division Manager Chris Robinson noted there have been no calls with questions or in opposition. Staff recommends approval with one stipulation.

Tabitha Farr, applicant, requesting approval to operate a home-based business for counseling services.

Ellis Astin asked for clarification to Mr. Robinson this request is for a Land Use Permit, which would require a renewal every two years. Mr. Robinson confirmed.

Virginia Galloway asked how many visitors she plans to have at the property at any given time.

Ms. Farr believes she would have up to six (6) a day.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one with comments or concerns to the application.

No further questions from the Board of Commissioners or Planning Commission.

Helene Fitzgerald made a motion to APPROVE application 2023-02-LUP with the one listed stipulation:

- 1. Owner/Developer agrees approval of this LUP is not transferable to another owner other than the current applicant.**

Seconded by Jim Henson. Motion carried (3-0-1).

FOR: Astin, Fitzgerald, and Henson

AGAINST: None

ABSTAIN: Leggett

Mr. Leggett announced all applicants which were present today need to be at the Board of Commissioner's meeting scheduled for 2PM on June 13, 2023.

Zoning Ordinance Text Amendment: Public Hearing: Paulding County, Georgia will consider Zoning Ordinance Text Amendments to Title 1: Administration, Title 2: Zoning and the Appendix of the Unified Development Ordinance for Paulding County, Georgia.

County attorney J. Jayson Phillips presented information regarding newly passed house bills and legal procedural updates to the rezoning ordinance.

County Development Director Ann Lippmann presented her portion of necessary changes and updates to the Unified Development Ordinance.

There were no questions or comments from the Board of Commissioners or Planning Commission.

There were no questions or comments from the public.

Ellis Astin motioned to **APPROVE** the recommendation for the Zoning Ordinance Text Amendment, seconded by Jim Henson. Motion carried (3-0-1).

FOR: Astin, Fitzgerald, and Henson

AGAINST: None

ABSTAIN: Leggett

This recommendation will be forwarded to the Board of Commissioners' next meeting.

There being no further business, a motion to adjourn was made by Jim Henson; seconded by Helene Fitzgerald. Motion carried (3-0-1).

FOR: Astin, Fitzgerald, and Henson
AGAINST: None
ABSTAIN: Leggett

The meeting adjourned at 3:21 PM.

Jody Palmer, Chairman

Roger Leggett, Vice-Chairman