



# City of Powder Springs

City of Powder Springs  
4484 Marietta Street  
Powder Springs, GA 30127

## Meeting Minutes Planning & Zoning Commission

Monday, April 27, 2020  
7:00 PM

Council Chambers | 4488 Pineview Drive  
Zoom Video Meeting ID: 912 2464 6510  
Zoom Phone # 1 929 205 6099 US  
Zoom Password: 014607

<https://zoom.us/j/91224646510?pwd=Z1BjOHQvaUdPRmVaaW95TGm1ZnFwdz09>

### 1. Call to order/ Roll Call.

The meeting was called to order at 7:00 pm by Chair. Attendance: Johnnie Purify, Wanda McDaniel, Raja Antone, Randal Madison, Jim Taylor, Roy Wade, Jo Aubry. Tina Garver (Community Development Director/Zoom Host) and Shauna Wilson Edwards (Staff) was also in attendance.

**PZ MIN 20-002** February 13, 2020 Planning and Zoning Work Session minutes

A motion was made by Raja Antone, seconded by Randal Madison, that this P&Z Minutes be approved. The motion carried by the following vote:

Yes: 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

**PZ MIN 20-003** February 24, 2020 Planning and Zoning Public Hearing minutes

A motion was made by Raja Antone, seconded by Randal Madison, that this P&Z Minutes be approved. The motion carried by the following vote:

Yes: 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

**PZ 20--007** Variance – Walnut Mill: To vary the removal of landscape buffer on approved plat, to vary side and rear setback, LL 820

Applicant Jerald Freeman presented case.

**PUBLIC COMMENT:** 1 member of the public in support of the variance

A motion was made by Raja Antone, seconded by Jim Taylor, that this Variance be recommended for approval with conditions to the Council Work Session. The motion carried by the following vote:

1. Approval to remove the 30 foot undisturbed buffer as indicated on approved plat.
2. Approval of reducing the rear setback from 35 feet to 8.6 feet to accommodate two (2) pergolas.
3. Approval to reduce the west side setback from 10 feet to 4.7 feet to accommodate pergola.

4. Reduce the east setback from 10 feet to 5.3 feet to accommodate a pergola.

5. Land disturbance permit must be submitted to Community Development for review. Plan should include a tree replacement plan filling in sections of the undistributed buffer where possible. Final approval will be granted by the Community Development Director. Per stipulations (May 2, 2005) trees shall be replaced with either Crepe Myrtles or Leyland Cypress of no less than five (5) feet in height.

6. Plat modification of lot must be reviewed by Community Development and recorded after approval.

7. Per the building code, a permit is required for the pergola that exceeds 200 square feet. As such, one of the pergolas will require a building permit.

**Yes:** 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

**PZ 20--008** Special Use – 4148 Marietta Street, to allow truck rental/leasing in the CRC zoning district, LL 873

**This Special Use was tabled.**

**Yes:** 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

**PZ 20--009** Text Amendment – To allow truck rental/leasing in the NRC zoning district

**Applicant, Okoro Godwin presented case.**

**PUBLIC COMMENT:** 1 resident concerned about parking truck rental at nearby parking areas.

**A motion was made by Roy Wade, seconded by Raja Antone, that this P&Z Text Amendment be recommended for approval with staff proposed text Amendment to the Council Work Session. The motion carried by the following vote:**

**Proposed Text Amendment:**

**Table 2-3 : Approve “Truck or Trailer Lease and Rental, Accessory” to change the “X” to a “S” and is only allowed as an accessory use. Special conditions were added to Section 4-305 for Truck or Trailer Lease and Rental, Accessory.**

**Sec. 4-305. Truck or Trailer Lease and Rental, Accessory.**

**The rental of moving trucks or trailers may be operated as an accessory use to a self-service storage facility or open air business in a commercial or industrial zoning district, provided that no more than one truck or trailer is permitted in the front yard for display purposes and no more than six trucks or trailers are permitted in any side yard.**

**Truck or Trailer rental as an accessory to any commercial operation in the NRC and CRC shall be permitted only if approval is granted via a Special Use. The following conditions shall apply:**

**1. The storage area shall be entirely screened from view from adjacent residential and office**

areas and public streets by a building or by the installation of a 6 to 8 foot high wall or fence. If existing vegetation or topography provides the required screening, then this wall or fence requirement may be eliminated. If screening is not acceptable to Community Development Director, a minimum of a 10 foot landscape buffer must be planted and maintained. Initial planting of trees must be a minimum of five (5) feet in height. Additional screening requirements is at the discretion of the Community Development Director.

- 2. No more than five (5) trucks or trailer can be stored in the rear yard.
- 3. There shall be no parking of trucks or trailer in the front yard.
- 4. Truck or trailer drop off or leasing shall be restricted to 8:00 am to 5:00 pm on a daily basis.
- 5. There shall be no parking of vehicle within 15 feet of a residential zoning district measured from the property line of the truck rental establishment.
- 6. The storage area shall not exceed 25 percent of the total buildable area of the site.
- 7. No vehicle maintenance, washing, or repair or truck or trailer shall be permitted on site.
- 8. Special use application must contain a site plan displaying that all requirements identified above are being met.

**Yes:** 5 - Johnnie Purify, Raja Antone, Randall Madison, Roy Wade, and Jim Taylor

**No:** 2 - Wanda McDaniel, and Jo Aubry

**PZ 20--010** Rezoning/Annexation – Old Lost Mountain: To annex and rezone from R20 to PUD-R to accommodate a residential development, LL 680 and 727

**A motion was made by Raja Antone, seconded by Jim Taylor, that this Annexation be tabled. The motion carried by the following vote:**

**Yes:** 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

**PZ 20--011** Rezoning/Annexation – Powder Springs Road: To annex and rezone from LI to PUD-R to accommodate a single-family residential development, LL 869, 908

**This Annexation was tabled.**

**Yes:** 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

**PZ 20--012** Rezoning Walton Way – To rezone from OI to R15 to accommodate a single family residential development, LL 903

**The applicant, Nikki Von Ruden presented case.**

**PUBLIC COMMENT: None**

**A motion was made by Jim Taylor, seconded by Roy Wade, that this Rezoning be recommended for approval with Staff recommendation to the Council Work Session. The motion carried by the following vote:**

1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning.
2. The Subject Property shall be developed conceptually to that certain revised site plan dated 4/15/2020, prepared by Foothills Land Surveying LLC. Development of the site must be consistent with the Unified Development Code requirements.
3. The construction of no more than four (4) single-family dwelling units with a density no greater than 2.1. The minimum lot size is 15,000 square feet.
4. The setback for each lot must be consistent with the R-15 zoning district.
5. The architectural style and composition of the homes shall consist of traditional architecture on all sides in substantial conformity to the architectural renderings/elevations being submitted concurrently herewith. The building façade should comprise of more than 50% brick. The remaining 50% may consist of stacked stone, cedar shake, Hardipanel and/or Hardiplank consistent with the Standards of Article 5 of the UDC.
6. The creation of a mandatory Homeowners' Association ("HOA") and the submission of Declaration of Covenants, Conditions and Restrictions ("CCRs") during the Plan Review process, which shall include, among other components, strict architectural controls. The mandatory HOA shall be responsible for the maintenance and upkeep of fencing, landscaping, open space areas, sidewalks, community areas, stormwater detention and/or water quality ponds, lighting, the entrance to the Residential Community and any amenities.
7. The submission of a landscape plan during the Plan Review process which shall be subject to review and approval by the Community Development Director. Additionally, the landscape plan shall include, but not necessarily be limited to, the following:
  - a. Landscaping and screening around the proposed detention and water quality areas with Cryptomeria, Arborvitae and/or other evergreen trees.
  - b. All HVAC, mechanical systems and home utilities within the community shall be screened by way of fencing and/or landscaping.
  - c. Entry signage for the proposed Residential Community shall be ground-based, monument-style, landscaped, lighted and irrigated.
8. A third party management company shall be hired to manage the day-to-day operations of the HOA and shall also be responsible for the management of all Association monies as well as insuring that the Association is properly insured until such time as the HOA makes a determination that it can undertake such responsibilities.
9. Subject to recommendations from the City of Powder Springs Engineer and/or the City's consultants concerning hydrology, stormwater management, detention, water quality and downstream considerations, including recommendations regarding the ultimate positioning and configuration of on-site detention and water quality. All of the following must be met:
  - a. Verifying all points of discharge with respect to detention/water quality.
  - b. Compliance with the protections required under State and Local Law concerning adjacent

streambank buffers.

10. Compliance with the recommendations from the City’s Engineer and/or Consultant with respect to Public Works and traffic/transportation issues, as follows:

- a. The interior streets shall be designed to provide appropriate access and maneuverability for public safety services and vehicles.
- b. Compliance with the Fire Marshall’s recommendations with respect to Life Safety & Fire Prevention Issues during the Plan Review process.
- c. Any curb, drainage or sidewalk damaged during construction shall be replaced.

11. The Community Development Director shall have the authority to approve minor modifications to these stipulations, the architectural renderings/elevations, the site plan and the overall proposal as it proceeds through the Plan Review process and thereafter except for those that:

- a. Increase the density of the Residential Community.
- b. Relocate a structure closer to the property line of adjacent property which is zoned the same or in a more restrictive zoning district.
- c. Increase the height of a building which is adjacent to property which is zoned in the same or more restrictive zoning district.

Yes: 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

**PZ 20--013** Text Amendment to UDC: CBD Urban Core Boundary and Article 13 and 14.

The applicant, Tina Graver (City initiated) presented case.

**PUBLIC COMMENT:** None

A motion was made by Jim Taylor, seconded by Roy Wade, that this P&Z Text Amendment be recommended for approval to the Council Work Session. The motion carried by the following vote:

**PROPOSED TEXT:**  
Purpose and Intent Statement

It is hereby established that an Urban Core within the boundaries of the Downtown Development Authority of the City of Powder Springs with its own geographically described boundaries is hereby established.

The purpose and intent of such a boundary is to protect the historic nature and character of the area by establishing architectural styles, permitted building materials and colors in order to enhance the historic area, provide uniformity in future construction and/or rehabilitation of the existing building stock, to protect the investment of properties and building stock and to further promote the economic development of properties within said boundaries.

The Powder Springs downtown area has a long history and was established as early as 1838 when it was first incorporated as the City of Springville and grew to become a vibrant commercial area in the 1800s with a resort, hotel, retail shops, homes, medical offices and a school.

The existing Urban Core includes a number of historically significant structures made up of certain architectural elements and materials that create an architectural style of its own and is reflective of the original designs from the major development pattern of the 19th century to mid-20th century. Construction was primarily of one and two story buildings with large plate glass storefront windows to allow natural light in the buildings. Materials were of brick, wood horizontal siding, and architectural shingles on the roofs while some were flat but with a parapet. Homes at that time had large sweeping porches with some being two stories.

Therefore it is hereby established that the architectural style of the Urban Core shall be that of what was originally established in the period that is significant of when the area was first developed. The following materials, architectural design and colors are hereby established within the geographical boundaries of the Powder Springs Urban Core. Said boundaries are attached hereto and shown as Exhibit A to this ordinance

#### **Article I Establishment of Architectural Design Style**

The existing Urban Core is a style that includes a number of historically significant structures made up of certain architectural elements and materials that create an architectural style of its own. It is hereby established that the architectural style of the Urban Core shall be that of what was originally established in the period that is significant of when the area was first developed.

#### **Article II Establishment of Building Materials**

It is hereby established that the following building materials or a combination thereof be required

- a. Brick
- b. Stone
- c. Wood (horizontal siding)
- d. Glass
- e. Cement Siding (horizontal siding)
- f. Roofing
- a. Architectural shingles
- b. Flat with an architectural parapet

#### **Article III Establishment of Traditional Storefront Elements**

It is hereby established that the following elements shall be contained within the storefront

- a. Bulkheads/kick plates
- b. Display windows
- c. Transoms
- d. Pilasters
- e. Belt course where applicable
- f. Cornices
- g. Entryway

**Article IV Establishment of a Color Pallet**

It is hereby established that the color pallet Fundamentally Neutral and manufactured by Sherwin-Williams shall be the colors used or a gradation of the same for the Urban Core.

**Article V Other Applicable Codes Used with this Ordinance**

The following codes shall be used where appropriate in conjunction with this Ordinance. The Community Development Director shall determine which of the following codes are applicable and meet the requirements of the Urban Core.

- a. Article Five: Site and Architectural Design Review, Powder Springs Unified Development Code;
- b. Historic Property Design Guidelines of Powder Springs
- c. Powder Springs Overlay Standards
- d. Springs In Motion Powder Springs LCI Plan Update 2016
- e. Powder Springs Zoning Ordinance

**Article VI Review and Approval Authority**

It is hereby established that the Community Development Director for the City of Powder Springs, Georgia shall have the authority to review and approve the design of new construction, addition, rehabilitation or a combination of the same for any building construction with the boundaries of the Urban Core.

**Yes:** 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

**5. Adjourn**

**Meeting ended at 8:16 PM**

**Yes:** 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry