



# City of Powder Springs

City of Powder Springs  
4426 Marietta Street  
Powder Springs, GA 30127  
cityofpowdersprings.org

## Meeting Agenda

### City Council

*Mayor*

*Albert Thurman*

*Council Members:*

*Henry Lust, Doris Dawkins, Dwayne Green, Dwight McMutry,*

*Patricia Wisdom*

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Monday, September 16, 2024

7:00 PM

Patricia C. Vaughn Cultural Arts Center  
4181 Atlanta Street | Building 1  
Powder Springs, GA 30127

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**Onsite at Patricia Vaughn Cultural Arts Center - 4181 Atlanta Street, Bldg. 1**

**Pre-Meeting Discussion at 6:30PM**

**Join Zoom Meeting - <https://us06web.zoom.us/j/81599109137>**

**Meeting ID: 815 9910 9137 Dial: 1-929-205-6099**

**1. Call to Order**

**2. Invocation and Pledge of Allegiance**

**3. Approval of Minutes**

[2024 -070](#) City Council Agenda Minutes 08/19/2024

[2024 -071](#) City Council Work Session Minutes 09/11/2024

**4. Mayor's Comments**

**5. Citizens Comments**

Registration to speak at any City Council meeting, per City Charter, is the day of the meeting only beginning 20 minutes prior to the start of the meeting (6:40 - 7:00 PM). The first twelve registering to speak will be given five (5) minutes to address Mayor and Council with their comments. Comments only - this is not a question and answer dialogue.

You can register by signing up in person at the Cultural Arts Center located at 4181 Atlanta Street - location of the on site meeting. Only on-site Citizen Comments are available. There are no virtual opportunities to provide Citizen Comments.

## 6. Public Reports | Presentations

[2024 -067](#) Finance and Accounting Appreciation Week

*Attachments:* [Financial & Accounting Week 2024](#)

[2024 -068](#) National IT Professionals Day

*Attachments:* [IT Professionals Day 2024](#)

[2024 -069](#) Human Resources Professional Day

*Attachments:* [Human Resource Professional Day 2024](#)

## 7. City Attorney

### A. Consent Agenda

[RES0 24-122](#) A RESOLUTION AUTHORIZING THE TEMPORARY USE AND CLOSURE OF THURMAN SPRINGS PARK AND SURROUNDING ROADS ON OCTOBER 26, 2024 FROM 9AM TO 4PM TO ACCOMMODATE A TEMPORARY EVENT HOSTED BY LINKEDUP CHURCH; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [RESOLUTION 2024 - 122 Temp Event Permit Blocktoberfest](#)  
[Blocktober Fest App Redacted](#)  
[Blocktober Fest Permit Request Redacted](#)

[RES0 24-123](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GOODWIN MILLS & CAWOOD TO COMPLETE THE 5-YEAR UPDATE TO THE STORMWATER MANAGEMENT PLAN FOR A SUM OF \$24,570; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2024 - 123 Stomwater Mgmt Plan Update](#)  
[SWMP Approval Memo 09162024](#)  
Restricted - City of Powder Springs RFP 24-007\_GMC.pdf  
Shared Folder for Bid Document

[RES0 24-124](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH AMERICAN TOWERS, INC. PERTAINING TO REAL PROPERTY AND CELL TOWER LOCATED ON POWDER SPRINGS DALLAS ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2024 - 124 Cell Tower](#)  
[RESO 2024-124 EXH A](#)

[RES0 24-125](#) A RESOLUTION AUTHORIZING THE CLOSURE OF NEW MACLAND ROAD, AND AFFECTED SIDE STREETS, FROM MACEDONIA ROAD TO THE CITY'S NORTHERN BOUNDARY LIMITS TO ACCOMMODATE THE MCEACHERN HIGH SCHOOL HOMECOMING PARADE ON OCTOBER 2, 2024; AUTHORIZING NECESSARY TRAFFIC CONTROL BY THE POLICE AND PUBLIC WORKS DEPARTMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2024 - 125 McEachern Parade](#)  
[Parade Permit.pdfMcEachernOctober 2, 2024 Redacted](#)  
[map of parade routeOctober2-2024](#)

[RES0 24-126](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE ATLANTA REGIONAL COMMISSION TO PARTICIPATE IN AND ACCEPT FUNDS THROUGH THE LIVABLE CENTERS INITIATIVE PROGRAM TO PREPARE A NEW AND UPDATED LCI PLAN; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2024 - 126 ARC LCI PLAN](#)  
[Contract Forms](#)  
[Subgrantee Boilerplate](#)  
[Powder Springs Attachment A and B\\_DRAFT](#)

[RES0 24-127](#) A RESOLUTION DIRECTING AND CONFIRMING CERTAIN EQUAL ACCESS BY UNINCORPORATED AREA RESIDENTS TO CITY OWNED PARKS FACILITIES, RECREATION PROGRAMS, LIBRARIES AND SENIOR SERVICE FACILITIES; APPROVING AN EXTENSION OF THE CITY'S AGREEMENT WITH THE COMMUNICATIONS TEAM; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [RESOLUTION 2024 - 127 SDS equalization and communications](#)

[RES0 24-128](#) A RESOLUTION DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF FURNITURE, FIXTURES AND EQUIPMENT REMOVED FROM THE OLD CITY HALL, COMMUNITY DEVELOPMENT AND MUNICIPAL COURT FACILITIES AND CURRENTLY LOCATED IN STORAGE, INCLUDING THROUGH AUCTION, YARD SALE, SAME-DAY-REMOVAL OR SIMILAR MEANS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

*Attachments:* [RESOLUTION 2024 - 128 SURPLUS](#)

[RES0 24-129](#) A RESOLUTION OF SUPPORT FOR AND COMMITMENT TO SUBMIT AN APPLICATION FOR FEDERAL FUNDING ASSISTANCE FOR PROJECT PLANNING UNDER THE RAILROAD ELIMINATION CROSSING PROGRAM IN PARTNERSHIP WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION, NORFOLK SOUTHERN RAILROAD, AND COBB COUNTY; ACKNOWLEDGING THE LOCAL MATCH REQUIREMENT AND COMMITTING \$25,000 AS THE CITY'S SHARE OF THE LOCAL MATCH; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [RESOLUTION 2024 - Federal Grant Application Railroad elimination](#)

[RES0 24-130](#) A RESOLUTION APPROVING A CONFLICT-OF-INTEREST WAIVER PERTAINING TO THE ACQUISITION OF REAL ESTATE AT THE FLORENCE ROAD ROUNDABOUT AND REPRESENTATION OF THE PROPERTY OWNER AND THE CITY BY THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [RESOLUTION 2024 - 130 Waiver of Conflict](#)

[RES0 24-131](#) A RESOLUTION CORRECTING AND UPDATING RESOLUTION 2024-104 BY ADDING THE FIXED FEE OF \$22,878.82 TO THE PROJECT COST FEE OF \$290,670.40 FOR THE AUSTELL POWDER SPRINGS ROAD ROUNDABOUT PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [RESOLUTION 2024 - 131 APS Roundabout Correction](#)

## **B. Regular Agenda | Public Hearing**

[PZ 24-013](#)

Variance request to UDC 8-92(e) to allow a privacy fence to encroach into the drainage easement. The property is located at 4444 Quilter Street, within land lot 680 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19068000490.

**Attachments:**

[Signed Motion to Table to 09-16-24](#)

[Tabled Motion to July 5th PZ 24-013](#)

[Variance App. 4444 Quilter Redacted](#)

**The recommendation is to table PZ 24-013 to the October 21, 2024 Council Agenda.**

[ORD 24 -012](#)

AN ORDINANCE TO ANNEX CERTAIN PROPERTY FROM THE UNINCORPORATED AREAS OF COBB COUNTY TO THE CORPORATE LIMITS OF THE CITY OF POWDER SPRINGS; REPEALING CONFLICTING ORDINANCES; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

First Reading: 05/20/2024. Second Reading: 06/03/2024

**Attachments:**

[ORDINANCE 2024 - 012 Annexation Ordinance Elliott Road](#)

[Annexation Application - 5500 Elliott Road - 04-23-2024 Redacted](#)

[Legal Description](#)

[Site Map Location](#)

[Site Plan - 04-22-2024 Redacted](#)

[Survey - 04-03-2024 Redacted](#)

[Cobb County Notice of Non-Objection 5500 Elliott Rd](#)

**The recommendation is to table ORD 24-012 to the October 21, 2024 Council Agenda.**

**Related to agenda item PZ 24-014.**

[PZ 24-014](#) Rezoning Request for a 29.6-acre tract, to rezone from R-30 (county) to PUD-R (city). The property is located at 5500 Elliott Road within land lots 598, 599, 660, 661, of the 19th district, 2nd section, Cobb County Georgia. PIN: 19066000060.

*Attachments:* [Updated Site Plan. 05152024 Redacted](#)  
[24-117 - Trip Generation Memo - Elliot Road Res Dev. City of Powder Springs, GA](#)  
[PZ24-014. site plan, TSW mark-up, floodplain impact, renderings.](#)  
[Signed PZ 24-014 Motion to Table to 09-16-24](#)  
[Tabled Motion to July 15th PZ 24-014](#)  
[List of Requested Variances](#)  
[Rezoning Application - 5500 Elliott Road - 04-23-2024 Redacted](#)  
[Site Map Location](#)  
[Site Plan - 04-22-2024 Redacted](#)  
[Survey - 04-03-2024 Redacted](#)  
[Cobb County Notice of Non-Objection 5500 Elliott Rd Redacted](#)

**The recommendation is to table PZ 24-014 to the October 21, 2024 Council Agenda.**

**Related to agenda item ORD 24-012.**

[PZ 24-017](#) Rezoning Request of a 17.7-acre tract, and rezone from NRC (county) to LI (city). The property was previously annexed via GA General Assembly HB 1500. The property is located at 3969 & 3989 Flint Hill RD within land lot 911, of the 19th district, 2nd section, Cobb County Georgia. PINs: 19091100020, 19091100060

*Attachments:* [Signed PZ 24-017 Motion to Table to 08-19-24](#)  
[PZ24-017. Motion to Approve. 08192024](#)  
[Letter to the Council. 08.20.2024](#)  
[Prepared Statement. Serious Tree Service](#)  
[Revised Site Plan. 7-9-24](#)  
[Phase I ESA Report - Serious Tree Services - 07.25.2024](#)  
[Sound Check + Dust Suppression System schematic](#)  
[Tabled Motion to July 15th PZ 24-017](#)  
[HB 1500. Annexation](#)  
[Rezoning. 3969 + 3989 Flint Hill Rd Redacted](#)  
[Site Plan. 3969 + 3989 Flint Hill Rd Redacted](#)

**The recommendation is to table PZ 24-017 to the October 7, 2024 Council Agenda.**

[PZ 24-020](#)

Rezoning Request for a 18.22-acre tract, to rezone from R-30 to PUD-R. The property is located at 5535 + 5551 Powder Springs Dallas Road within land lots 734, 735, 746 of the 19th district, 2nd section, Cobb County Georgia. PIN: 19073400030, 19074600050.

**Attachments:**

[Revised Site Plan. 09.09.2024](#)

[Traffic Assessment. 5535 Powder Springs Dallas Residential](#)

[Signed PZ 24-020 Motion to Table to 09-16-24](#)

[2024.08.22 - Zoning Plan w highlighted variances](#)

[State Waters Findings Report](#)

[Elevations](#)

[Rezoning Application. 5535, 5551 Powder Springs Dallas Road Redacted](#)

[LEGAL DESCRIPTION](#)

**The recommendation is table PZ 24-020 to October 21, 2024 Council Meeting.**

**Related to agenda item PZ 24-021.**

[PZ 24-021](#)

Floodplain Variance for a 18.22-acre tract, to rezone from R-30 to PUD-R. The property is located at 5535 + 5551 Powder Springs Dallas Road within land lots 734, 735, 746 of the 19th district, 2nd section, Cobb County Georgia. PIN: 19073400030, 19074600050.

**Attachments:**

[2024.09.09 - Zoning Plan with Fence](#)

[2024.08.07 - SF and TH mix w Decel](#)

[2024.08.22 - Zoning Plan w highlighted variances](#)

[State Waters Findings Report](#)

[2024.06.01 - Floodplain Variance Request - Both Parcels Redacted](#)

[Barrom signed flood plain variance doc 5551 PS Dallas Redacted](#)

[BLOSSER BRADSHAWn Flood plain variance doc 5535 PS Dallas Redacted](#)

[Signed PZ 24-021 Motion to Table to 09-16-24](#)

**The recommendation is table PZ 24-021 to October 21, 2024 Council Agenda.**

**Related to agenda item PZ 24-020.**

[PZ 24-027](#) Variance Request. To vary table 2-2 minimum dimensional requirements for accessory structures greater than 144-sf; to allow impervious coverage greater than the maximum allowed 50%. The property is located at 3654 Hopkins Court, within land lots of the 19th district, 2nd section, Cobb County Georgia. PIN: 19079400710 TO BE TABLED TO OCTOBER

**Attachments:** [PZ 24-027. Motion to Table. 09162024](#)  
[3654 HOPKINS CT SW\\_Redacted](#)  
[PZ24-027. Presentation](#)

**The recommendation is to table PZ 24-027 to the October 7, 2024 Council Agenda.**

[PZ 24-028](#) Variance Request. To vary table 2-4 minimum dimensional requirements for a lot split. The property is located at 3180 Florence Road, within land lot 675 of the 19th district, 2nd section, Cobb County Georgia. PIN: 19067500020

**Attachments:** [PZ 24-028. Motion to Approve. 09162024](#)  
[Royre Variance Request 7-18-24 Redacted](#)  
[Site plan](#)  
[PZ24-028. Presentation](#)

[PZ 24-030](#) Variance Request. To modify the conditions of Variance Approval PZ24-022, for Intentional Church, to allow congregation in office/broadcasting suite 155; to allow window sign greater than 20% coverage; and to allow the use of suite 150. The property is located at 4110 Austell Powder Springs Road Suites 130 and 155, within land lots 946, 19th District, 2nd Section, Cobb County, Georgia. PIN: 19094600260 TO BE TABLED TO OCTOBER

**Attachments:** [PZ 24-030. Motion to Table. 09162024](#)  
[4110 AUSTELL POWDER SPRINGS RD STE 155 REV](#)  
[Modification of variance conditions.](#)  
[Window Sign](#)

**The recommendation is to table PZ 24-030 to the October 7, 2024 Council Agenda.**

[PZ 24-031](#) Rezoning Request. To modify the conditions of Rezoning Approval PZ21-014, for Selig Enterprises (Heartwood Apartments). The property is located at 4493 Brownsville Road within Land Lots 1025,1026, 1027, 1047, 19th District, 2nd Section, and Cobb County, Georgia.

**Attachments:** [PZ 24-031. Motion to Table. 09162024](#)  
[4391 Brownsville Rd - Proposed Outparcels Site Plan 08-20-24](#)  
[4391 Brownsville Rd - Proposed Restaurants Site Plan 08-20-24](#)

**The recommendation is to table PZ 24-031 to the October 7, 2024 Council Agenda.**

[PZ 24-033](#)

PZ 24-033. Private Streets. Nature Walk controlled access gated subdivision at Story Road. Request for Private Streets and Entry Gate David Pearson Communities, Inc. 19088300010, 19088200380

**Attachments:**

[PZ 24-033. Motion to Approve. 09162024](#)

[Sec. 15 75. Additional specifications for final plats involving private streets.](#)

[Sec. 8 68. Private streets.](#)

[Naturewalk Response Letter](#)

[Entrance Wall Plan - NATUREWALK - 8-28-24](#)

## 8. City Manager and City Council Reports

## 9. Executive Session, if called for purposes of Real Estate, Litigation or Personnel Matters

## 10. Adjournment

*Following adjournment of Council Meetings, the Mayor and various Council Members often remain at the City Council meeting location podium to sign ordinances, resolutions and contracts, greet and speak with citizens, and discuss current events. To the extent this activity may be considered a meeting under the Georgia Open Meetings Law, the public is hereby notified thereof, and invited to attend.*

*For more information regarding any of actions included on this agenda, please visit [www.cityofpowdersprings.org](http://www.cityofpowdersprings.org) | Agendas & Minutes and select applicable meeting date. Clicking on the blue link will open all detail related to the action. Please note additional supporting information for the City Council Agenda may still be added up through the day of the City Council Meeting.*

*ADA Statement - Accessibility to meetings: If you need the City to provide special accommodations in order to participate in the above meeting, please call Tamara Newkirt, Deputy City Clerk, at 770-943-1666, ext.303 or [tnewkirt@cityofpowdersprings.org](mailto:tnewkirt@cityofpowdersprings.org) at least 48 hours before that meeting.*