



City of Powder Springs

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

Meeting Minutes - Final

City Council

Mayor

Albert Thurman

Council Members:

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

Wisdom

Monday, July 15, 2024

7:00 PM

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

Onsite at Patricia Vaughn Cultural Arts Center - 4181 Atlanta Street, Bldg. 2

Pre-Meeting Discussion at 6:30PM

Join Zoom Meeting - <https://us06web.zoom.us/j/85626744860>

Meeting ID: 856 2674 4860 Dial: 1-929-205-6099

1. Call to Order

Mayor Albert Thurman called the meeting to order at 7:00 pm. Council Members Dawkins, Green, Lust and McMutry were present on site. Council Member Wisdom was absent. Also present on site were City Attorney Julie Livingston, and City Clerk Kelly Axt. City Manager Pam Conner was present via Zoom. Interim Agency Director Sam Heaton facilitated the meeting in the City Manager's absence.

Staff in attendance: Lane Cadwell, Phyllis Calloway, Michelle Coursey, Jon Gargis, Tina Garver (Zoom), Travis Landrum (Zoom), Tamara Newkirt, Vangie Rodenbeck, Travis Sims (Zoom), and Henry Smith (Zoom).

Present 5 - Al Thurman, Mayor Pro Tem - Ward 1 Henry Lust, Council Member - Ward 2 Doris Dawkins, Council Member - Ward 3 Dwayne Green, and Council Member - At Large Post 1 Dwight McMutry

Absent 1 - Council Member - At Large Post 2 Patricia Wisdom

2. Invocation and Pledge of Allegiance

The Invocation was led by Council Member Dwayne Green and the Pledge of Allegiance was led by Council Member Dwight McMutry.

3. Approval of Minutes

[2024 -054](#)

City Council Agenda Minutes 06/17/2023

Attachments: [City Council Agenda Minutes 17-Jun-2024](#)

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that City Council Agenda Minutes 06/17/2024 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[2024 -056](#) Special Called City Council Minutes 07/08/2024 - Millage 1st Public Hearing at 12pm

Attachments: [Special Called City Council Agenda Minutes 8-Jul-2024 at 12PM](#)

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 2 Dawkins, that Special Called City Council Minutes 07/08/24 at 12pm be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[2024 -057](#) Special Called City Council Minutes 07/08/2024 - Millage 2nd Public Hearing at 6pm

Attachments: [Special Called City Council Agenda Minutes 8-Jul-2024 at 6PM](#)

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that Special Called City Council Minutes 07/08/2024 at 6pm be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[2024 -058](#) City Council Work Session Minutes 07/10/2024

Attachments: [City Council Work Session Minutes 10-Jul-2024](#)

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that City Council Work Session Minutes 07/10/2024 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

4. Mayor's Comments

Mayor Thurman reminded the Council body of the service delivery meeting Wednesday July 17th; and congratulated the Parks and Recreation for the

proclamation.

5. Citizens Comments

No citizen comments were made.

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 -059](#) Proclamation

Attachments: [Proclamation Parks Month 2024.doc](#)

Council Member Doris Dawkins read and presented the proclamation recognizing Parks and Recreation Month to Michelle Coursey and Vangie Rodenbeck.

7. City Attorney

A. Consent Agenda

[RES0 24-095](#) Final Plat Approval - Lewis Road Towns

Attachments: [22PDR-LDP00016 - Wildwood Place SD - Final Plat Redacted Elevations](#)
[RESOLUTION 2024 - 95 final plat.doc](#)

approved

[RES0 24-096](#) Final Plat Approval - Concord Oaks

Attachments: [concord oaks plat & storm asb 5-17-24 Redacted Elevations](#)
[RESOLUTION 2024 - 96 final plat.doc](#)

approved

[RES0 24-097](#) A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PARO STRATEGIES, LLC FOR CERTAIN PROFESSIONAL SERVICES RELATED TO GRANT WRITING AND IMPLEMENTATION FOR AN AMOUNT NOT TO EXCEED \$60,000;

PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-097](#)

approved

[RESO 24-098](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION DIVISION TO RECEIVE ADDITIONAL FUNDING ASSISTANCE FOR RECYCLING DROP-OFF FACILITY LOCATED AT THE PUBLIC WORKS DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-098](#)

approved

[RESO 24-099](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GEORGIA POWER COMPANY FOR THE PROVISION OF PEDESTRIAN LED STREET LIGHTING ALONG JACKSON WAY EXTENSION, NEAR CEMETERY STREET FOR THE INSTALLATION AMOUNT OF \$15,500.00 AND A MONTHLY SERVICE FEE OF \$85.50; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-099](#)

[Executed Illumination Contract - Cemetery St.pdf](#)

[Lighting proposal - City of Powder Springs - Cemetery St - Public Lights.pdf](#)

approved

[RESO 24-100](#) A RESOLUTION AUTHORIZING THE ACQUISITION OF RIGHT OF WAY NEEDED TO COMPLETE THE POWDER SPRINGS AND FOREST HILL ROAD ACCESS ROAD PROJECT KNOWN AS PROJECT NO. 1476.013, INCLUDING THE USE OF CONDEMNATION IF NEEDED; AUTHORIZING THE MAYOR TO EXECUTE DEEDS OR OTHER DOCUMENTS NEEDED TO COMPLETE ACQUISITION, CLOSING AND CONVEYANCE TRANSACTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-100](#)

approved

[RESO 24-101](#) A RESOLUTION RE-APPOINTING CHARLIE ROSS AND ANITA BOOKER TO THE DOWNTOWN DEVELOPMENT AUTHORITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-101](#)

approved

[RESO 24-102](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL AGREEMENT WITH OPTERRA SOLUTIONS, TO MOW, CLEAR AND MAINTAIN CERTAIN DETENTION PONDS FOLLOWING COLLECTION OF FUNDS FROM OWNERS OF PROPERTIES WITHIN AFFECTED SUBDIVISIONS; TO AMEND SAID AGREEMENT TO INCLUDE CERTAIN ADDITIONAL DETENTION PONDS IN COUNTRY WALK, LOST LAKES AND DOGWOOD DRIVE; TO AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT WITH MAULDIN & COOK FENCE COMPANY TO REPAIR AND REPLACE FENCING AT CERTAIN DETENTION PONDS FOR AN AMOUNT OF \$14,750 FOLLOWING COLLECTION OF FUNDS FROM OWNERS OF PROPERTIES WITHIN SUBDIVISION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-102](#)

[Exhibit A Detention Pond Maintenance Program.pdf](#)

approved

[RESO 24-103](#) A RESOLUTION APPROVING AND AUTHORIZING THE USE OF PUBLIC PROPERTY FROM JULY 26 THROUGH JULY 28 FOR THE PURPOSE OF ACCOMMODATING A TEMPORARY OUTREACH EVENT HOSTED BY CALVARY CHRISTIAN MINISTRIES; AUTHORIZING THE TEMPORARY CLOSURE OF HOPKINS ROAD AND HOPKINS COURT IF DETERMINED NECESSARY BY THE POLICE DEPARTMENT TO MANAGE TRAFFIC CONTROL; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-103](#)

approved

Approval of the Consent Agenda

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - At Large Post 1 McMutry, to approve the Consent Agenda as read by the City Attorney Julie Livingston. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

B. Regular Agenda | Public Hearing

[PZ 24-012](#) Special Use Request to operate a package store in CRC, per UDC table 2-3 which require package stores in CRC to have special use approval. The property is located at 4481 Hiram Lithia Springs Road SW, within land lot 1046 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19104600250.

Attachments: [Executed PZ 24-012](#)

[Special Use Application Redacted](#)

[4481 Hiram Lithia Springs Road SW Property Survey \(August 1994\)](#)

[Redacted](#)

[Alcohol Distance Survey - 4481 Hiram Lithia Springs Road SW \(Updated\)](#)

[Redacted](#)

[Alcohol Distance Variance Approval. Executed motion. PZ23-022](#)

Balbir Sahdra, Special Use applicant, discussed that he would like to relocate from their current package store location in the Kroger's plaza to the old Rite Aid building on Hiram Lithia Springs Road.

Tina Garver, Community Development Director, stated that Staff recommends approval of the application. Mrs. Garver also read the recommended staff stipulations.

PZ 24-012 is related to agenda item AL 24-004. No speakers for or against the application.

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - Ward 2 Dawkins, that Special Use PZ 24-012 be approved with the following conditions:

1. The applicant shall submit application for an Alcohol License to the Community Development Department.
2. The applicant is required to install / supplement the Front Landscaping Strip at both road frontages, compliant with the standards of the Unified Development Code, subject to review and approval from the Community Development Department.
3. The applicant is required to re-stripe the parking lot, compliant with the standards of the Unified Development Code, subject to review and approval from the Community Development Department. This shall include resurfacing or sealing the parking lot at the time of renovation.
4. The applicant is required to submit a Design Review Application for any external color changes, subject to review and approval from the Community Development Department. The building's exterior shall include only colors found in the Sherwin Williams Fundamental Color wheel.
5. All signage shall be permitted, in accordance with the standards of the Unified Development Code.

The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMurtry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[AL-24-004](#) Alcohol License: Retail beer, wine, spirituous, and Sunday sales. The property is located at 4481 Hiram Lithia Springs Road SW, within land lot 1046 of the 19th

District, 2nd Section, Cobb County, Georgia. PIN: 19104600250.

Attachments: [2024 alp application B J PACKAGE INC dba BROWNSVILLE PACKAGE Redacted](#)
[Alcohol Distance Survey - 4481 Hiram Lithia Springs Road SW \(Updated\) Redacted](#)

Balbir Sahdra, Special Use applicant, discussed that he would like to relocate from their current package store location in the Kroger's plaza to the old Rite Aid building on Hiram Lithia Springs Road.

Tina Garver, Community Development Director, stated that Staff recommends approval of the application. Mrs. Garver also read the recommended staff stipulations.

AL 24-004 is related to agenda item PZ 24-012. No speakers for or against the application

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - Ward 2 Dawkins, that Alcohol License AL-24-004 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMurtry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[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](#)

A motion was made by Council Member - At Large Post 1 McMurtry, seconded by Council Member - Ward 3 Green, that Variance PZ 24-013 be tabled to the City Council, on 9/16/2024. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMurtry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[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: [Signed PZ 24-014 Motion to Table to 09-16-24](#)
[Tabled Motion to July 15th PZ 24-014](#)
[Updated Site Plan. 05152024 Redacted](#)
[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](#)

A motion was made by Council Member - At Large Post 1 McMurtry, seconded by Council Member - Ward 3 Green, that Rezoning PZ 24-014 be tabled to the City Council, on 9/16/2024. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMurtry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[PZ 24-015](#) Renewal of Special Use for a food truck park (PZ23-018 expires 7/17/2024). The property is located at 3980 & 3982 Austell Powder Springs Road, within land lot 905 of the 19th District, 2nd Section, Cobb County, Georgia.

Attachments: [Signed PZ 24-015 Motion to Table to 08-19-24](#)
[Renewal Food Truck Park Redacted](#)

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that Special Use PZ 24-015 be tabled to the City Council, on 8/19/2024 and to allow PZ 23-018 scheduled to expire on July 17, 2024 to continue until the August 19, 2024 hearing. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMurtry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[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 Supression 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](#)

A motion was made by Council Member - At Large Post 1 McMutry, seconded by Council Member - Ward 3 Green, that Rezoning PZ 24-017 be tabled to the City Council, on 8/19/2024. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[PZ 24-018](#)

City Initiated Rezoning. To adopt the corresponding City of Powder Springs zoning districts for parcels annexed via the General Assembly into the incorporated limits of The City of Powder Springs, of the 19th District, 2nd Section, Cobb County, Georgia.

Attachments: [Executed PZ 24-018](#)
[Property List and Zoning Districts](#)
[HB 1500. Annexation](#)

Tina Garver, Community Development Director, presented the four proposed City owned parcels for rezoning districts. Staff and Planning and Zoning Commission recommend approval.

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - At Large Post 1 McMutry, that Rezoning PZ 24-018 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[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: [Traffic Assessment. 5535 Powder Springs Dallas Residential](#)
[Signed PZ 24-020 Motion to Table to 09-16-24](#)
[Revised Site Plan. 2024.08.07 - SF and TH mix w Decel](#)
[2024.08.22 - Zoning Plan w highlighted variances](#)
[State Waters Findings Report](#)
[Elevations](#)
[Rezoning Application. 5535, 5551 Powder Springs Dallas Road Redacted](#)
[LEGAL DESCRIPTION](#)

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that Rezoning PZ 24-020 be tabled to the City Council, on 9/16/2024. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[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: [2024.08.07 - 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](#)

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - At Large Post McMutry, that Variance PZ 24-021 be tabled to the City Council, on 9/16/2024. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[PZ 24-022](#) Variance Request. Intentional Church requests to vary the minimum acreage dedicated to the use required for a church. 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

Attachments: [Executed PZ 24-022](#)
[Letter \(Pastor Guidry to Council\)](#)
[Variance Application Redacted](#)
[164202e2-3cfb-48a4-9de3-127ee559776a_Redacted](#)
[Intentional Church Draft 5-2-24 \(2\)](#)

Anthony Guirdry, Variance Applicant, discussed the purpose of the church.

Tina Garver, Community Development Director, discussed the variance application request as it does not relate to the Unified Development Code 4-70 and recommends a code amendment. Mrs. Garver indicated that Staff recommends denial of the application and the Planning and Zoning Commission recommends approval with conditions.

Roger Charles, business owner of 4110 Austell Powder Springs Rd Suite 170 in Powder Springs, discussed his opposition to the variance application because he claims that it will interrupt his business.

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that this Variance PZ 24-022 be approved with the following conditions:

- 1. The variance to allow the operation of a church on less than 2-acres dedicated to the use is approved. The approval of this variance is not transferable to any other business or subsequent owner.**
- 2. For events where the congregation is assembled, ingress and egress into the commercial retail center at 4110 Austell Powder Springs Road shall use the second drive way to the southern side of the row of retail suites, to mitigate traffic impacts to other users in the development. Parking attendants shall be required to direct traffic during said events.**
- 3. Intentional Church shall utilize Powder Springs Police Department as their police force of choice for traffic control support, when deemed necessary.**
- 4. Intentional Church shall seek the necessary approvals from the Fire Marshall's Office, and the Community Development Department to establish a new business operation.**
- 5. Intentional Church shall house their church's congregation space in suite 130, and their offices and broadcasting uses in suite 155. If a different suite is used, a new application must be submitted.**
- 6. That the approval of this variance is not transferable to any other business or subsequent owner.**
- 7. The applicant will demonstrate that there is adequate parking to support retail and institutional use at this location.**
- 8. Hours of operation are limited to 7:00AM – 10:00PM.**
- 9. Per Section 7-84 of the Unified Development Code, Exception - allows for a one year temporary signage while property owner complies with this section.**

The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[PZ 24-023](#) Special Use Request for a privacy fence at the road frontage. The Property is located at 3401 Redwood Forest LN SW, within land lot 821, 19th District, 2nd Section, Cobb County, Georgia. PIN: 19082100470

Attachments: [Executed PZ 24-023](#)

[Special Use App Redacted](#)

[94423399-f1fe-4c84-a177-7b9a50f3d140_Redacted](#)

[Site plan](#)

[2681738f-799d-4353-a56f-57242463ce3a_Redacted](#)

John Skellton, on behalf of the special use applicants Assatou Barry and Ibrahim Diallo, discussed the request to allow the property owners to keep their privacy fence along Story Road and the proposed extension of the fence along the back of their property lines.

Tina Garver, Community Development Director, stated that Staff and the Planning and Zoning Commission recommends approval of the special use application with conditions. Mrs. Garver added that the fence is behind their landscaping and would need to confirm if the fence is located on the homeowners property.

No speakers for or against PZ 24-023.

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - At Large Post 1 McMutry, that Special Use PZ 24-023 be approved with the following condition:

1. The special use request to allow the fence to remain in its current location is approved. The encroachment of the fence into the front yard shall not be expanded to enclose more of the side yard.

The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[PZ 24-025](#) Design Review. Fencing at 4451 Marietta Street. The Book Worm. 19087501720

Attachments: [Motion Design Review Fence](#)

[Recommended fence](#)

[Bookwork \(DR App\)](#)

[Survey](#)

Julie Davis, Bookworm Bookstore Owner, discussed allowing a wood fence on her business property.

Tina Garver, Community Development Director, stated that Staff recommends denial of the proposed wood fencing; but Staff is supportive of a black top aluminum fence that is consistent with the surrounding downtown area and at the suggestion of the architect consultant.

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that Design Reviews PZ 24-025 for the applicants proposed wood fence be Denied.

The motion failed by the following vote:

- No:** 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry
- Absent:** 1 - Council Member - At Large Post 2 Wisdom

A counter motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that this Design Reviews was approved with recommended black top aluminum fence for Design Reviews PZ 24-025 with the following conditions:

1. The City will approve a flat top black aluminum fence, 42-inches in height, to be placed on the property line as shown in the application.
2. The fence shall be a flat top aluminum fence, 42 inches in height. This is consistent with the surrounding downtown area and architectural consultant recommendation.
3. To address the safety concerns caused by the existing curblin along the western boundary (municipal parking lot side of property), the City/DDA will install the aluminum fence and between the fence and the curb the City/DDA will install landscaping.
4. Applicant must install the aluminum fence on the rear and east property line.
5. The applicant shall execute a reciprocal construction easement.
6. The City will extend the date to complete the project as proposed with the business grant program and pay the applicant the remaining balance of \$2000 upon completion of the proposed project.

The motion carried by the following vote:

- Yes:** 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry
- Absent:** 1 - Council Member - At Large Post 2 Wisdom

[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](#)

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that Ordinance ORD 24 -012 be tabled to the City Council, on 9/16/2024. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

[ORD 24](#)
[-014](#)

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING TO WATER EFFICIENCY BY ADOPTING THE METRO WATER DISTRICT AMENDMENTS TO THE PLUMBING CODE; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1s Reading: July 15, 2024. | 2nd Reading: August 19, 2024.

Attachments: [ORD 2024-014 REDLINE OF METRO CHANGES](#)
[Metro Water District's Water Efficiency Code Requirements to Sec. 24-2](#)
[City of Powder Springs DCA Response Redacted](#)
[ORD 2024-114 EXHIBIT A](#)
[ORDINANCE 2024 - 014 UDC Amendment relating to Water Efficiency Plumbing Code](#)

This Ordinance ORD 24 -014 was a first reading only. No action was taken. Second reading at the City Council on 8/19/2024

8. City Manager and City Council Reports

City Manager Pam Conner congratulated staff on promotions and some re-classifications.

Council Member McMutry welcomed everyone that joined the meeting.

Council Member Lust welcomed everyone that join virtually as well as those that attended in person; and shared that he participated in the Powder Springs Read A Thon this past Saturday at the Ford Reception Hall.

Council Member Dawkins thanked everyone for attending the meeting; and congratulated staff on their promotions and Parks and Recreation on receiving their Proclamation.

Council Member Green shared his peace and blessings to everyone.

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

No executive session was held.

10. Adjournment

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that this Adjournment be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom