



City of Powder Springs

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

Meeting Minutes - Final

City Council

Mayor

Albert Thurman

Council Members:

Henry Lust, Doris Dawkins, Dwayne Green, Patrick Bordelon, Patricia

Wisdom

Tuesday, June 20, 2023

7:00 PM

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

Due to Juneteenth Holiday

Onsite at Patricia Vaughn Cultural Arts Center - 4181 Atlanta Street

Pre-Meeting Discussion at 6:30PM

Join Zoom Meeting - <https://us06web.zoom.us/j/81967945488>

Meeting ID: 819 6794 5488 Dial: 1-929-205-609

1. Call to Order

Mayor Pro Tem Lust called the meeting to order at 7:00 pm. Mayor Al Thurman was absent due to City business. Council Members Bordelon, Dawkins and Wisdom were present on site. Council Member Green was absent. Also present on site were City Attorney Julie Livingston, City Manager Pam Conner, and Deputy City Clerk Tamara Newkirt. City Clerk Kelly Axt was absent.

Staff in attendance: Lane Cadwell, Tina Garver (Zoom), Eric Meyer (Zoom), Shaun Myers (Zoom), Tamara Newkirt, and Bill Tanks (Zoom).

Present 4 - Mayor Pro Tem - Ward 1 Henry Lust, Council Member - Ward 2 Doris Dawkins, Council Member - At Large Post 1 Patrick Bordelon, and Council Member - At Large Post 2 Patricia Wisdom

Absent 1 - Council Member - Ward 3 Dwayne Green

City-Absent 1 - Mayor Al Thurman

2. Invocation and Pledge of Allegiance

Invocation was led by Council Member Dawkins and the Pledge of Allegiance was led by Council Member Wisdom.

3. Approval of Minutes

[2023 -045](#) Council Work Session Minutes 05/31/2023

Attachments: [Council Work Session Minutes 31-May-2023](#)

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, that Council Work Session Minutes 05/31/2023 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 3 Green

[2023 -049](#) Council Agenda Minutes 06/05/2023

Attachments: [Council Agenda Minutes 05-Jun-2023](#)

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, that Council Agenda Minutes 06/05/2023 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 3 Green

[2023 -050](#) Council Work Session Minutes 06/14/2023

Attachments: [Council Work Session Minutes 14-Jun-2023](#)

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 1 Wisdom, that Council Work Session Minutes 06/14/2023 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 3 Green

4. Mayor's Comments

Mayor Thurman was absent due to City business.

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. You can register by signing up in person at the Cultural Arts Center located at 4181 Atlanta Street - location of the on site meeting or by emailing kaxt@cityofpowdersprings.org between 6:40 and 7:00 PM to register to speak.

6. Public Reports | Presentations

[PR 23-009](#) Commendations

Attachments: [Commendation DeShawn Booker](#)
[Commendation Ky Rayford](#)
[Commendation Manny Gomez](#)
[Commendation Micah Reed](#)

Mayor Pro Tem Lust read and presented the Award of Excellence commendation to DeShawn Booker.

Council Member Wisdom read and presented the Award of Excellence commendation to Micah Reed.

Council Member Dawkins read and presented the Award of Excellence commendation to Manny Gomez.

Council Member Bordelon read and presented the Award of Excellence commendation to Ky Da'Zon-Rayford.

[2023 -051](#) Proclamation - Municipal Court Clerks Week

Attachments: [Proclamation Municipal Court Clerks Week 2023](#)

Mayor Pro Tem Lust read the proclamation recognizing Municipal Court Clerks Week June 5 - June 9 with special mention of Chief Court Clerk Tracie Jackson and Deputy Court Clerk Nikki Proctor.

[PR 23-010](#) Employee Recognitions

Police Chief Lane Cadwell recognized and presented Service Awards to Officer Matt Rook and retiring canine Officer Kash.

7. City Attorney

A. Consent Agenda

[RES0 23-117](#) A RESOLUTION APPROVING A TEMPORARY RECREATION EVENT PERMIT FOR THE LINKEDUP CHURCH CONNECT TO HEALTH 5K RUN/WALK IN THE DOWNTOWN ON OCTOBER 7, 2023; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 117 LinkedUp Connect to Health 2023](#)
[Connect 2 Health 2023 Redacted](#)
[Executed RESO 2023-117](#)

approved

[RES0 23-118](#) A RESOLUTION DECLARING AS SURPLUS AND AUTHORIZING RETIREMENT OF CANINE OFFICER CASH TO HIS HANDLER; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 118 Surplus Canine Officer Cash](#)
[Executed RESO 2023-118](#)

approved

[RES0 23-120](#) A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CERTAIN AGREEMENTS FOR PROFESSIONAL SERVICES SUBJECT TO THE FISCAL YEAR 24 BUDGET AMOUNTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 120 Professional Services FY24](#)
[Signed Services Agreement](#)
[Executed RESO 2023-120](#)

approved

[RES0 23-121](#) A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SMYRNA RELATING TO THE HOUSING OF INMATES IN THE SMYRNA JAIL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 121 Smyrna Jail](#)
[Powder Springs MOU 2023 final](#)
[Executed RESO 2023-121](#)

approved

[RES0 23-122](#) A RESOLUTION PROVIDING THE GEORGIA DEPARTMENT OF NATURAL RESOURCES CERTAIN ASSURANCES RELATED TO AN APPLICATION FOR LAND WATER CONSERVATION FUNDING ASSISTANCE FOR THE CITY OF POWDER SPRINGS PARK PROJECT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 122 LWCF Application](#)
[23Resolution-application phase](#)
[Executed RESO 2023-122](#)

approved

[RES0 23-123](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DAF CONCRETE,INC. TO REPLACE 51

LINEAR FEET OF CORRODED STORM DRAIN PIPES SIZES 24"AND 36".
LOCATED AT 3004 SPRINGS INDUSTRIAL DR. IN THE AMOUNT OF
\$51232.50.

Attachments: [RESOLUTION 2023 - 123 DAF CONCRETE SW REPAIRS SPRING
INDUSTRIAL
DAF Redacted](#)
[Executed RESO 2023-123](#)

approved

[RESO 23-124](#) A RESOLUTION APPROVING CERTAIN ENCROACHMENT IN THE
RIGHT OF WAY; AUTHORIZING THE MAYOR TO EXECUTE AN
ENCROACHMENT AGREEMENT; PROVIDING FOR AN EFFECTIVE
DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 124 Encroachment Agreement](#)
[Revised Fence Redacted](#)
[Executed RESO 2023-124](#)

approved

[RESO 23-125](#) A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN
MEMORANDUM OF UNDERSTANDING WITH THE AMERICAN
ASSOCIATION OF RETIRED PEOPLE SPECIFYING THE TERMS AND
CONDITIONS RELATED TO THE ACCEPTANCE AND USE OF GRANT
FUNDS PROVIDED BY AARP COMMUNITY CHALLENGE PROGRAM;
PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 125 AARP Grant](#)
[DUAL-PLATE-BB-SAMPLE](#)
[DUAL-PLATE-BB-MLKJ-SAMPLE](#)
[RESO 2023-125 EXH A](#)
[Signed AARP MOU](#)
[Executed RESO 2023-125](#)

approved

[RESO 23-126](#) A RESOLUTION REAPPOINTING WANDA MCDANIEL, RANDALL
MADISON AND JOHNNIE PURIFY TO THE PLANNING AND ZONING
COMMISSION FOR POWDER SPRINGS; PROVIDING AN EFFECTIVE
DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 126 PZ Appt 2023](#)

[Oath of Office for Planning and Zoning Commission Wanda McDaniel
062023](#)

[Oath of Office for Planning and Zoning Commission Randall Madison
062023](#)

[Signed Oath R. Madison and W. McDaniel](#)

[Executed RESO 2023-126](#)

approved

[RESO 23-127](#) APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR CERTAIN LOBBYING SERVICES RELATED TO A JOINT SUBCOMMITTEE STUDYING SERVICE DELIVERY FOR AN AMOUNT UP TO \$20,000; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR CERTAIN PROFESSIONAL SERVICES AND ADVICE RELATED TO SERVICE DELIVERY FOR AN AMOUNT UP TO \$18,000; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 127 SDS](#)

[Executed RESO 2023-127](#)

approved

[RESO 23-128](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH KB ADVISORY GROUP FOR CERTAIN PROFESSIONAL SERVICES RELATING TO THE MORATORIUM PREVIOUSLY ESTABLISHED BY THE CITY OF POWDER SPRINGS FOR A SUM OF \$7,500; AUTHORIZING THE FINANCE DIRECTOR TO PREPARE NECESSARY BUDGET AMENDMENTS FOR THE TRANSFER AND ALLOCATION OF FUNDS TO PAY FOR SAID PROFESSIONAL SERVICES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 128 KB Advisory moratorium study](#)

[Executed RESO 2023-128](#)

approved

[RESO 23-129](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL AGREEMENT WITH CIVIC FORWARD STRATEGIES FOR CERTAIN LOBBYING SERVICES IN THE AMOUNT OF \$4,000; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 129 Lobbying 278](#)

[Executed RESO 2023-129](#)

approved

Approval of the Consent Agenda

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, 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 - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 3 Green

B. Regular Agenda | Public Hearing

[PZ 22--022](#) Rezoning Request: C.H. James Parkway. To consider a request to rezone from MXU to PUD-R. The property located at C.H. James Parkway, Florence Road and Carrington Drive within Land Lot 732 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 9073200240

Attachments: [Draft Motion 06202023](#)

[CH James Pkwy Zoning 6.20.23](#)

[Parkland 22X50 RL Series](#)

[Site Plan 5.15.23](#)

[Carrington Park - Elevations](#)

[Carrington Park - Floor Plans](#)

[Letter from the property owner to PZ Commission and Council. PZ 22_002.](#)

[8.10.2022 Redacted](#)

[Rezoning Request Application and Statement of Intent Redacted](#)

[Deferral Request for C.H. James Redacted](#)

[Second Deferral Request for C.H. James Redacted](#)

[Signed Motion to table to 08-15-2022](#)

[Signed Motion to table to 09-19-2022](#)

[Carrington Park - Site Plan 8.12.2022](#)

[Executed Motion to Table to 12-05-2022](#)

[Executed Motion to Deny w o Prejudice ORD PZ 2022-022](#)

[Details](#)

[Details](#)

[Details](#)

[Details](#)

[Details](#)

[Executed PZ 2022-022](#)

Michelle Battle, Attorney of Battle Law on behalf of owner OTH 12, LLC, provided a presentation of renderings and a conceptual plan to rezone a parcel from mixed use

to a town home development consisting of 29 units. Ms. Battle added that the applicant is agreeable to the recommended staff conditions.

Jonathan Benator, Attorney of Lazega & Johanson on behalf of the Carrington HOA, discussed the appeal by the property owner to the Court after the City Council's initial denial of the application. Mr. Benator discussed the reasons in opposition of the application.

Donald Dahl, resident of 5217 Carrington Park Drive in Powder Springs GA, spoke in opposition to having two separate town homes communities because it would create confusion.

Chandra Harris, resident of 3309 Thornbridge Drive in Powder Springs GA, spoke in opposition to density, traffic issues and construction time.

Yvonne Leon, resident of 3340 Thornbridge Drive in Powder Springs GA, spoke in opposition to the density to the area.

Tina Garver, Community Development Director, discussed the recommended conditions should Council approve the application.

Julie Livingston, City Attorney, confirmed with the applicant that they have read all the conditions and are agreeable to them. Ms. Battle confirmed yes.

The Council body asked if the applicant could address the concerns of the resident regarding traffic. Ms. Battle replied that the commercial traffic would be more intense than that of the proposed 29 units per the traffic industry. The Council body stated their disappointment that the current Carrington HOA and the current land owner could not come to an agreement in terms of including this new development into the current development.

A motion was made by Council Member - At Large Post 1 Bordelon, seconded by Council Member - At Large Post 2 Wisdom, that Rezoning PZ 22--022 be approved with the following conditions:

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. The rezoning is from MXU to PUD-R with total site acreage of approximately 3.7 acres.

2. The Subject Property shall be developed in substantial conformity to that certain revised site plan that went through the external review process with TSW, prepared by Alliance Land Surveying and Planning for Parkland Communities, dated 06/20/2023. The development shall have a maximum of 29 units with a minimum unit size of 1600-square feet. The Site Plan must be consistent with PUD-R regulations and all other applicable regulations identified in the Unified Development Code.

3. Storm water compliance shall be reviewed at Land Disturbance Permitting. Coordination with the Carrington Park Subdivision Homeowners' Association will be required for any shared storm water facilities prior to the issuance of a Land Disturbance Permit.

4. The following variances requests were included with the rezoning request to PUD-R:

1. APPROVED: Variance to Section 2-15 (d) to partially remove the 25-foot perimeter buffer at the area adjacent to the Carrington Park Subdivision only. No structures shall be allowed in this area of reduced perimeter buffer.

2. APPROVED: Variance to Section 21-15 to reduce tangent lengths at intersections to be a minimum of 10-feet as shown on the site plan dated 6/19/2023.

3. APPROVED: Variance to Sec. 12-13 to allow more than 75% of the existing tree canopy to be removed and replanted meeting requirements of the Unified Development Code. Staff notes that this property was cleared as part of the overall development in 2007.

4. The applicant shall pay a proportionate share of the paving costs, per stipulations of approved variance PZ15-028. "That future development of the townhouses and commercial portion pay a proportionate share of the paving costs." The fee will be \$25,439.61.

5. The typical street section of the 50-foot right-of-way shall be revised to include a 5' sidewalk clear zone and a 6' tree planting zone on the north side of Carrington Park Drive, and 20' travel lanes as illustrated in Appendix I.

6. All residential units shall have two-car garages, and the parking pads/driveway in front of the garage shall be greater than or equal to 22-feet in length measured from back of sidewalk to face of garage or front wall of structure.

5. The setback are as follows:

Front: 10 feet from right-of-way

Side: 5 feet setback

Rear as shown on site plan: 20 feet setback

Perimeter: 35 feet setback

Between buildings: Minimum of 20 feet

Driveway Length: All units shall have 22 feet of parking length exclusive of sidewalk.

Design Review shall be conducted via Administrative Review.

6. Units must be staggered to the extent required by code, they must provide some staggering or variation as approved by an Administrative Design Review.

7. The architectural style and composition of the homes shall consist of traditional architecture on all sides, consistent with the product images submitted. Variety in the neighborhood will be provided using different shades of brick, and having at least 10 units with 100% brick on front facades. All elevation will contain no less than 50% brick or stone on the front and side façades. Fenestration shall be required on all end units. All rear elevations will contain brick no less than 50% where exposed to the right-of-way. An administrative design review will be required. The brick requirement may be reduced if recommended by TSW, the city's architectural design consultant.

8. 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, storm water detention and/or water quality ponds, lighting, the entrance to the Residential Community and any amenities.

9. 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. Detention pond landscaping and screening plan for around the proposed detention and water quality areas with Cryptomeria, Arborvitae and/or other evergreen trees, unless areas are designed as part of the amenity for the neighborhood as usable open space.
- b. Planting plan for a twenty-five-foot and ten (10') landscape buffers around the perimeter of the Subject Property as shown on the site plan dated 6/20/2023.
- c. Compliance with landscape section renderings/elevations which will be submitted under separate cover during the Plan Review process.
- d. The landscape plan, which shall be prepared, stamped and signed by a Georgia Registered Landscape Architect or a degreed Horticulturist and shall identify open space areas; landscaped common areas; and other components of the proposed Residential Community which will be further identified during the Plan Review process.
- e. The installation of underground utilities and the utilization of decorative lighting themed to the architectural style and composition as above mentioned.
- f. All HVAC, mechanical systems and home utilities within the community shall be screened by way of fencing and/or landscaping.
- g. Entry signage for the proposed Residential Community shall be ground based, monument-style, landscaped, lighted and irrigated.
- h. The installation of landscaped front, side and rear yards.
- i. Compliance with the City's current Tree Preservation & Replacement Ordinance and substantial conformity to all tree protection measures and the adherence to same during the construction and build out of the Residential Community.

10. 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.

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.
- d) Change access locations to different rights-of-way.

12. Road frontages will be heavily and professionally landscaped which may include the use of berms, fencing, and substantial plant material to provide for visual screening. All perimeter and roadway buffer areas will either be owned by the HOA or deed restricted with maintenance easements in favor of the HOA.

13. Declarant or any builder construction homes within the proposed community must sell any such home for owner occupancy only. Thereafter, leasing of any units within the entire development, with a minimum lease term of one (1) year. The mandatory homeowner's

association must maintain records dealing with any lease within the Development, and such records shall be subject to review by the City of Powder Springs personnel with regard to enforcement of this provision limiting the total number of leases within the Development to no more than 3 units. The Homeowner Association shall agree to provide, upon request to the City of Powder Springs, and all information relating to existing leases at the time of any such request by the City. The City shall be named a third-party beneficiary entitled to enforce this provision of the covenants.

14. Traffic impacts will be reviewed as part of the LDP process Applicant must demonstrate that the right-of-way for Florence Road meets the minimum requirements of 40 ft from centerline. If sufficient right-of-way does not exist meeting the minimum requirements, dedication of right-of-way will be required.

15. If the development on the site stalls for a period of 6 months or more, the site be replanted per a plan approved by the Community Development Director showing compliance with minimum tree canopy, street trees and buffer requirements.

16. Electric Vehicle (EV) Charging. Residential garages within the detached single-family and town home components shall be pre-wired with the minimum standards for level 2 EV charging capability with NEMA 14-50 receptacle.

17. Storm water management facility must be designed by a registered landscape architect as formal or natural amenities.

18. Amenity must be included for the residents. Either one type 1 amenity or two type 2 amenities -

A. Type 1 amenities.

1. Swimming pool
2. Clubhouse, meeting facility, or indoor workout facility (1,200 square feet minimum)
3. Wading pool
4. Splash pad
5. Tennis courts (lighted and enclosed, minimum of two courts)
6. Baseball, softball, football, or soccer field (regulation size)
7. Basketball court (regulation size)
8. Amphitheater

B. Type 2 amenities.

1. Multi-use path (minimum 2,500 feet in length, six feet in width)
2. Outdoor exercise stations
3. Dog park
4. Community garden
5. Community lawn
6. Public plaza
7. Preserved natural area (minimum 0.5 acres)
8. Pond (minimum 1 acre) with fishing dock and boat access
9. Children's play area (minimum 0.25 acres)
10. Storm water management facility (must be designed by a registered landscape architect as formal or natural amenities, and may not be fenced or enclosed by walls over 30 inches in height)

19. The developer/owner/applicant is agreeable to including within the CCRs a "trigger mechanism" which designates that a certain percentage (which will be determined between developer/owner/applicant and the City during Plan Review) of the HOA fees will be solely and exclusively dedicated to interior infrastructure such as streets, sidewalks, amenities, storm water management/ detention features and other such interior infrastructure

components within the proposed community.

The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 3 Green

[PZ 23--016](#) Variance Request for waiver of stormwater detention requirements. The property is located at Lewis Road and Oglesby Road and C.H. James parkway, within the 19th District, 2nd Section, Land Lots 1049 and 1050, Cobb County, Georgia.

Attachments: [Draft motion](#)

[Memo from City Consultant Redacted](#)

[Application for Variance \(Lewis Road\) Portion 1](#)

[Application for Variance \(Lewis Road\).PDF Redacted](#)

[Letter from Applicant Engineer Redacted](#)

[Site Plan - 21052 C200 Redacted](#)

[Vicinity Map](#)

[Executed PZ 2023-016](#)

Kevin Moore, Attorney of Moore Ingram Johnson & Steele on behalf of Traton Homes, discussed the request to waiver from the storm water detention requirements. Mr. Moore added that the rise is within the tolerance used by the US Army Code of Engineers and will result in a unperceivable rise in the floodplain down stream and cause no adverse impasse.

No speakers for or against the application.

Tina Garver, Community Development Director, added that the City's consultant Dewberry reviewed the hydrology and the numbers were provided in the memo but Dewberry was not able to provide a recommendation as to approve or deny the variance. Mrs. Garver reviewed the Staff's conditions.

Mayor Pro Tem Lust confirmed with Mr. Moore that the development will be a build to own project. Mr. Moore replied yes this will be a build to own town home development.

A motion was made by Council Member - At Large Post 1 Bordelon, seconded by Council Member - Ward 2 Dawkins, that Variance PZ 23--016 be approved with the following conditions:

- 1) Waiver of detention is reviewed against the requirements of the current Georgia Storm water Management Manual.
- 2) The applicant has demonstrated that the increases in peak flows and resultant flood elevations are greater with detention than without detention.
- 3) That the increase in 100-yr peak flow, increased flow and flood elevations not exceed those

outlined in the memo from Dewberry Engineers, Inc. dated June 13, 2023.

The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 3 Green

[ORD 23](#)
[-006](#)

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF POWDER SPRINGS TO REAPPORTION ELECTION DISTRICTS FOR THE CITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading June 20 2023 2nd reading July 17 2023

Attachments: [Draft Ward Map 05312023 Annexations](#)
[ORD 2023-006 EXH A Draft Ward Map 05312023 Annexations](#)
[ORD 2023-006 EXH B WARD POPULATION SUMMARY](#)

Pam Conner, City Manager, discussed the recommended redistricting changes of the Reapportionment and Redistricting Committee that reviewed the district maps based on the 2020 census. Mrs. Conner added that the revised ward map includes annexed areas within those districts and the population summary.

Ordinance ORD 23 -006 had no action taken. This was a first reading only.

[ORD 23](#)
[-007](#)

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING TO PERMITTED USES IN RESIDENTIAL AREAS FOR THOSE IN NEED OF CERTAIN SUPPORTIVE, STRUCTURED LIVING CONDITIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading June 20 2023 2nd reading July 17 2023

Attachments: [ORDINANCE 2023 - 007 UDC Amendments](#)
[Exhibit A](#)
[Recovery residences UDC definitions permitted uses](#)
[Recovery residences UDC specific use provisions](#)
[Recovery residences Other Cobb Cities summary](#)
[Georgia Council for Recovery expects more legislation concerning sober living housing](#) [Georgia Public Broadcasting](#)
[Recovery Residences \(Halfway Houses\)](#) [Georgia Attorney General's Consumer Protection Division](#)

Tina Garver, Community Development Director, discussed the proposed updated codes as it relates to definitions, permitted uses and specifications on certain uses of family homes, group homes and half way houses.

Ordinance ORD 23 -007 had no action taken. This was a first reading only.

8. Oath of Office - Planning and Zoning Commission

Mayor Pro Tem Lust and Deputy City Clerk Tamara Newkirt conducted the Oath of Office to Planning and Zoning Commission appointees Randall Madison and Wanda McDaniel.

9. City Manager and City Council Reports

City Manager Pam Conner congratulated Mr. Madison and Ms. McDaniels on their service to the Planning and Zoning Commission; and to Officer Rook on the arrival his baby girl. Mrs. Conner also extended congratulations to City Clerk Kelly Axt on becoming a first time grandmother.

Council Member Dawkins echoed the sentiments of Mrs. Conner; and congratulated the graduates of McEachern High School. Ms. Dawkins thanked those that attended the meeting in person as well as online.

Council Member Bordelon thanked everyone in person as well as online. Mr. Bordelon recognized all the students that had received their commendations; congratulated and thanked Johnnie Purify, Randall Madison and Wanda McDaniel for their service to the Planning and Zoning Commission; and congratulated City Clerk Kelly Axt on the birth of her granddaughter. He also discussed attending the Juneteenth Celebrations in Marietta on Friday night and in downtown Powder Springs on Saturday.

Council Member Wisdom congratulated the students on receiving their commendations; congratulated Officer Rook and his retiring canine Kash; and recognized the reappointed Planning and Zoning members. Ms. Wisdom also thanked everyone that viewed on Zoom and in person.

Mayor Pro Tem Lust congratulated everyone under the previous comments, and to those that attended on line and in person. Mr. Lust added that he attended the Austell's Juneteenth Celebration last Friday and the Powder Springs Juneteenth last Saturday of which the Parks and Recreation Department and Event Promoter did a fantastic job; and that he had an outstanding Father's Day with his family.

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

No Executive Session was held.

11. Adjournment

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, 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 - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 3 Green