



**PAULDING COUNTY BOARD OF COMMISSIONERS
BOARD MEETING MINUTES
July 28, 2020**

**Watson Government Complex
Second Floor – Board of Commissioners Meeting Room**

CALL TO ORDER: David L. Carmichael, Chairman

INVOCATION: David L. Carmichael, Chairman

PLEDGE: Presentation of Colors by Scout Venture Crew 1916 Chartered by VFW Post. 5408

PRESENT:

Chairman, David Carmichael; Post I, Ron Davis; Post II, Sandy Kaecher; Post III, Chuck Hart; Post IV, Brian Stover; County Administrator, Frank Baker; County Attorney, Jayson Phillips; County Clerk, Rebecca Merideth

MINUTES:

1. Adopt the July 14, 2020 Work Session Minutes and the July 14, 2020 Board Meeting Minutes:

Chuck Hart made a motion to adopt the minutes, seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

ANNOUNCEMENTS: None

INVITED GUESTS: None

BID AWARDS: None

REPORTS FROM COMMITTEES & DEPARTMENTS: None

PUBLIC PARTICIPATION ON AGENDA ITEMS:

Mr. Daniel Walker stated that he opposes application 2020-11-Z and asked the commission to consider an additional stipulation regarding a 50 foot buffer.

Mr. Sean Randel stated he would like to address his concerns regarding amendments to the R-55 Zoning Ordinance.

Mr. Mike Lynch and Mr. Bill Miller, yielded their time and did not speak.

CONSENT AGENDA: None

OLD BUSINESS: None

NEW BUSINESS:

2. Ordinance 20-07 amending the Paulding County Code of Ordinances Chapter 66 "Sewer", Section 66-154 Limited Discharges Into Systems:

Chuck Hart made a motion to award, seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (See Attachment "A")

3. Authorize additional funding for Brown and Caldwell under the Program Management Contract for the Richland Creek Reservoir in the amount of \$150,000.00:

Brian Stover made a motion to approve, seconded by Ron Davis. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Water System Department)

4. Ordinance 20-08 an Ordinance amending Section 1-19 and Various Penalty Provisions of the Official Code of Paulding County:

Ron Davis made a motion to approve, Chuck Hart. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (See Attachment "B")

**PAULDING COUNTY PLANNING COMMISSION MEETING
PLANNING COMMISSION RECOMMENDATIONS
July 28, 2020**

5. **Ordinance 20-09:** to adopt text amendment to the Zoning Ordinance (2003 as amended). The amendment is in regards to Article VIII, Section V, R-55, Active Adult Residential District. Sandy Kaecher made a motion to table this item until the August 25, 2020 Board of Commissioners Meeting, seconded by Ron Davis; Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.
6. **2020-07-SUP:** Application by **RICHARD NUNNALLY**, for a Special Use Permit on approximately 10.06 acres in a B-2 (Highway Business) to operate a tattoo parlor located in Land Lot 145; District 19; Section 2. The property is located at 4075 Charles Hardy Parkway Suite 112 in the Citizens Square Shopping Center. POST 1

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (6-0-1)

Ron Davis made a motion to approve, Seconded by Chuck Hart; Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

7. **2020-10-Z:** Application by **JOEL L. LARKIN ON BEHALF OF FARM STORE GA DEVELOPMENT, LLC**, for a modification of zoning applied in Rezoning Application 2006-10-Z stipulation 4 to allow the applicant to develop a free-standing monument sign on the property; The property is located in Land Lot 605; District 3; Section 3 on southwest side of Cedarcrest Road, north of Cedar Mill Drive. POST 4

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (6-0-1). To Remove prior rezoning (2006-10-Z) stipulation #4.

Brian Stover made a motion to approve, seconded by Ron Davis; Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

8. **2020-11-Z:** Application by **GEORGE T. McGARITY**, to rezone 2.44 acres of R-2 (Suburban Residential) District to B-1 (General Business) District to operate an upscale neighborhood convenience store/gas station. The property is located in Land Lot 618; District 3; Section 3 at 875 Cedarcrest Rd across from Belmont Lane. POST 4

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (4-1-2).

1. Owner/Developer agrees the site and development is subject to the Highway Corridor Overlay District.
2. Owner/Developer agrees the access to the development shall be determined during the plan review process.
3. Owner/Developer shall enter into a Development Agreement or extend the water main on the east side of Cedarcrest Road to service the site.
4. Owner/Developer acknowledges the development is within the Mandatory Pumpkinvine Sewer Service Basin.
5. Owner/Developer Acknowledges sewer availability is not expressly implied as a result of zoning.
6. Owner/Developer agrees to no access on Sandpiper Path.
7. Owner/Developer agrees to install a 50ft landscape buffer on three sides (excluding the road frontage).

Brian Stover made a motion to approve with (seven) 7 stipulations, seconded by Chuck Hart; Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

9. 2020-12-Z: Application by **ELITE ENGINEERING, LLC – JONATHAN JONES**, to zone 109.7 acres from R-2 (Suburban Residential) District and A-1 (Agricultural) District to LDQRD (Low Density Quality Residential Development) District for a total of 214 single family residential subdivision. The property is located in Land Lots 962, 984, 985 & 1033; District 3; Section 3 on the south side of Dooley Road and east side of Gullede Road. POST 4

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (6-0-1).

1. Owner/Developer shall submit detailed landscaping plans prepared by a registered design professional for entrances, amenity, and required buffer areas for review/approval by the Planning and Zoning Division during the Plan Review Process.
2. Owner/Developer acknowledges all required landscape buffers, amenity areas, detention area lots, lift station lots, easements, parking areas, and buildings may not be accounted for as greenspace areas.
3. Owner/Developer agrees access to the development shall be determined during the plan review process.
4. Owner/Developer agrees to provide 60' R.O.W. along Dooley Road (30' from each side of centerline of the road).
5. Owner/Developer agrees to provide 84' R.O.W. along Gullede Road, (42 from each side of centerline of road).
6. Owner/Developer shall enter into a development agreement with PCDOT for intersection improvements to accommodate development.
7. Owner/Developer shall be responsible for incorporating traffic calming practices. All practices shall be approved by the Paulding County Department of Transportation and designed in accordance with the Institute of Transportation Engineers (ITE) Manual for Traffic Calming.
8. Owner/Developer acknowledges the development is located in and subject to the requirements of the Pumpkinvine Sewer Service Basin. The county may elect, at its discretion, to transfer flow to another basin for treatment.
9. Owner/Developer will enter into a Development Agreement with the Paulding County Board of Commissioners for their proportionate share of costs for off-site infrastructure related to the outfall from the Possum Creek Lift Station to Seven Hills.
10. Owner/Developer agrees to provide a re-use plan at time of preliminary plat submittal including an analysis of existing infrastructure that will demonstrate the proposed development's ability to receive re-use water in the amount equal to the wastewater discharged. Improvements may be required.
11. Owner/Developer agrees sewer availability is not expressly implied as a result of zoning.
12. Owner/Developer agrees to install a double-sided, six feet high privacy fence along the entire property lines which adjoins the Dooley property (74 Dooley Road) and the Atcheson property (144 Dooley Road).

Brian Stover made a motion to approve with (twelve) 12 stipulations, seconded by Chuck Hart; Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

10. 2020-14-Z: Application by **ELITE ENGINEERING, LLC – JONATHAN JONES**, to zone 62.21 acres from R-2 (Suburban Residential) District to LDQRD (Low Density Quality Residential Development) District for a 132 dwelling, single-family residential subdivision. The property is located in Land Lots 401, 402, 403, 463 & 464; District 3; Section 3; on the east side of Cedarcrest Road, south of North Springs Drive. POST 4

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (6-0-1).

1. Owner/Developer shall submit detailed landscaping plans prepared by a registered design professional for entrances, amenity, and required buffer areas for review/approval by the Planning and Zoning Division during the Plan Review Process.
2. Owner/Developer acknowledges all required landscape buffers, amenity areas, detention area lots, lift station lots, easements, parking areas, and buildings may not be accounted for as greenspace areas.
3. Owner/Developer agrees access to the development shall be determined during the plan review process.
4. Owner/Developer agrees to setback project improvements for the Cedarcrest Road Widening Corridor.
5. Owner/Developer agrees the proposed entrance separation from North Springs Drive shall be approved by the PDOT.
6. Owner/Developer shall be responsible for incorporating traffic calming practices. All practices shall be approved by the Paulding County Department of Transportation and designed in accordance with the Institute of Transportation Engineers (ITE) Manual for Traffic Calming.
7. Owner/developer agrees to enter into a Development Agreement with the PCDOT to participate in mitigation to address traffic concerns on Cedarcrest Road.
8. Owner/Developer acknowledges the development is in the mandatory Pumpkinvine Sewer Service area.
9. Owner/Developer agrees to submit a downstream sewer capacity study. Improvements may be required.
10. Owner/Developer agrees to provide a re-use plan at time of preliminary plat submittal including an analysis of existing infrastructure that will demonstrate the proposed development's ability to receive re-use water in the amount equal to the wastewater discharged. Improvements may be required.
11. Owner/Developer acknowledges sewer availability is not expressly implied as a result of zoning.

Brian Stover made a motion to approve with (eleven) 11 stipulations, seconded by Ron Davis; Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

CONCLUSION OF REGULAR BUSINESS

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: None

EXECUTIVE SESSION: None

Chairman Carmichael asked the Commissioner's if they would had any comments or announcements.

Commissioner Hart: stated he is thankful to have a board willing to work together.

Chairman Carmichael: stated he is grateful that we now have all boards working together to meet the mission of the county and get the tasks done. He further stated it is important to appreciate their hard decisions just like the hard decisions we have to make.

Commissioner Kaecher: stated it is all about supporting each other.

Commissioner Davis: stated being on a board and making hard decisions. Some do not understand but they appreciate that it is hard.

ADJOURNMENT: Ron Davis made a motion to adjourn, seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

Rebecca Merideth, County Clerk

David L. Carmichael, Chairman