

PAULDING COUNTY PLANNING COMMISSION MEETING
January 26, 2021

The regular meeting of the Paulding County Planning Commission was held on January 26, 2021 at 2:00 p.m., in the Watson Government Administration Building. Planning Commission members in attendance were Chairman Jody Palmer, Jim Henson; Roger Leggett; Helene Fitzgerald, Ellis Astin, Debra Sever and James Steele. Commissioner Board Chairman Dave Carmichael; Commissioner Keith Dunn; Commissioner Sandy Kaecher; Commissioner Chuck Hart; Commissioner Brian Stover and County Attorney J. Jayson Phillips were present. Staff present were Planning and Zoning Division Manager, Chris Robinson; Planning and Zoning Administrative Assistant/Planner, Leah Wilson; Water System Director, Laurie Ashmore; Department of Transportation Director George Jones; Director of Operations, Scott Greene and County Administrator, Frank Baker. Present from the Paulding County Marshal Bureau were Chief Trevor Hess and Corporal Tommy Biggs.

Planning Commission Chairman Jody Palmer called the meeting to order at 2:00 PM; welcoming new Planning Commission Board member Mr. James Steele.

Mr. Palmer requested everyone turn off or silence all mobile devices.

Election of Officers

Ellis Astin motioned for Jody Palmer to serve as Chairman of the Planning Commission; seconded by Jim Henson. Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Sever and Steele
AGAINST: None
ABSTAIN: Palmer

Jim Henson motioned for Roger Leggett to serve as Vice-Chairman of the Planning Commission; seconded by James Steele. Motion carried (5-0-2).

FOR: Astin, Fitzgerald, Henson, Sever and Steele
AGAINST: None
ABSTAIN: Leggett and Palmer

Approval of Minutes

James Steele made a motion to adopt the Planning Commission meeting minutes from November 17, 2020 as presented; seconded by Roger Leggett. Motion carried. (6-0-1)

FOR: Astin, Fitzgerald, Henson, Leggett, Sever and Steele
AGAINST: None
ABSTAIN: Palmer

Printed copies of the Conduct of Hearing were made available for the public.

Policy and Procedures state applicants and anyone speaking on behalf of the application will have fifteen minutes to make their presentation and any opposition will also have fifteen minutes to present. The fifteen minutes are cumulative for each side. All comments are to be addressed to the Chairman.

It was explained this is a recommending body and any action taken today will be forwarded to the Board of Commissioners for final action. The Paulding Board of Commissioners' next meeting will be this evening at 7:00 PM.

Two items on today's agenda have been administratively forwarded to **February 23, 2021 at 2PM**; they are applications **2020-26-Z** and **2021-04-Z**. Application **2021-01-SUP** has been taken off of today's agenda to be scheduled for a future hearing date.

Old Business

2020-22-Z: Application by **ZACHARY & LINDSY SHUMOSKI**, requesting to rezone 5.513 acres from R-2 (Suburban Residential) to A-1 (Agricultural) for agricultural purposes. Property is located in Land Lot 854; District 2; Section 3; at 405 Paulding Blvd. **POST 2.**

Planning and Zoning Division Manager, Chris Robinson, noted there have been calls with questions, but no one in opposition. Staff recommends approval with two stipulations.

Zack & Lindsay Shumoski, applicants, requesting to rezone property to agricultural for agricultural purposes; and are agreeable to the stipulations.

There were no questions from the Planning Commission or Board of Commissioners.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one to speak in opposition of the application.

Ellis Astin made a motion to approve application **2020-22-Z** with the two listed stipulations:

- 1. Owner/Applicant agrees to no swine facilities, structures or uses on the property.**
- 2. Owner/Applicant agrees to a maximum of five (5) goats on the property.**

Seconded by Jim Henson. Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Sever and Steele

AGAINST: None

ABSTAIN: Palmer

The recommendation will be forwarded to the Paulding County Board of Commissioners' next meeting will be this evening at 7:00 PM for consideration. Applicant and any interested parties must be present.

New Business

2021-01-LUP (CoH): Application by **JANET S. MCMILLEN c/o EDWIN M. CECCARELLI, ATTORNEY AT LAW**, requesting a Land Use Permit to serve as dwelling purposes for applicant, and to operate a psychic reading business. Property is located in Land Lot 681; District 2; Section 3; address is 590 Hiram Douglasville Highway in Hiram Georgia.

Planning and Zoning Division Manager, Chris Robinson, noted there had not been any calls in opposition and recommends approval of the application with one stipulation.

Edwin Ceccarelli, attorney for applicant, summarized the request to renew the existing Land Use Permit. Mr. Ceccarelli pointed out the significant improvements made to the property since 2015. He also discussed the financial hardship(s) of the applicant, agrees to the stipulations provided by staff and requests approval from the committee.

There was discussion between the Planning Commission, Staff and Mr. Ceccarelli.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one to speak in opposition of the application.

Jim Henson motioned for approval of application **2021-01-LUP (CoH)** with the listed stipulation:

- 1. Owner/Applicant agrees approval of this LUP is not transferable to another owner other than the current property owner/applicant.**

Seconded by Ellis Astin. The motion carried (5-1-1).

FOR: Astin, Fitzgerald, Henson, Leggett and Steele

AGAINST: Sever

ABSTAIN: Palmer

This recommendation will be forwarded to Clifford McGrady with the City of Hiram to be scheduled for their next meeting.

Jody Palmer stated the public was welcome to stay, but respectfully asked if an application has already been heard to be mindful of COVID-19 and the social distancing rules in place. He then gave an opportunity if anyone would like to quietly leave, to do so at this time.

New Business

2021-02-Z: Application by **LORRIE MARTIN**, requesting to rezone 21 acres from PRD (Planned Residential District) to R-2 (Suburban Residential) to return property to conforming zoning requirements. Property is located in Land Lot 606; District 2; Section 3; located near the corner of Watts Rd and Coppermine Rd. **POST 3.**

Planning and Zoning Division Manager, Chris Robinson, stated staff received two calls with questions. There was no noted opposition and recommends approval of the application. Mr. Robinson also summarized the previous PRD (Planned Residential Development) zoning for this property, noting the applicant is asking to conform the property to R-2 (Suburban Residential) regulations.

Lorrie Martin, applicant representing Dr. Wilburn H. Weddington, Sr, agreed with Mr. Robinson in wanting to return property to the conforming use of R-2.

There were questions from the Board of Commissioners to Mr. Robinson.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one to speak in opposition of the application.

Roger Leggett motioned for approval of application **2021-02-Z**; seconded by Debra Sever. Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Sever and Steele

AGAINST: None

ABSTAIN: Palmer

The recommendation will be forwarded to the Paulding County Board of Commissioners' meeting this evening at 7:00 PM for consideration. Applicant and any interested parties must be present.

New Business

2021-03-Z: Application by **SIMON H. BLOOM**, requesting to rezone approximately 355.2 acres of R-2 (Suburban Residential) to MPR (Master Planned Residential) community with a density of 2 units per acre, and a maximum of 710 lots. Property is located in Land Lots 669-701, 740, 773, 812, 845, and 884-886; District 3; Section 3; located West of Gullede Rd; southwest of Seven Hills & Gullede Rd intersection. DRI application #846. **POST 4.**

Simon Bloom, applicant representing Pinehill Investments, LLC, stated the intention to rezone and develop a Master Planned Residential community with a max of 710 single-family homes; applicant is agreeable to the stipulations.

There was discussion between Planning Commission, Staff, Board of Commissioners, Mr. Bloom, Mike Quinley; developer, and Erick Hofstetter; Paulding County Board School District Chief Operations Officer, addressing the MPR zoning ordinance and design with regards to the "pods" of single-family homes and the lack of the commercial aspect within; Concerns addressing the number of homes and the impact on the school system, and whether the developer could provide a time frame of the development.

After continued discussion, applicant agreed to two additional recommended stipulations made by the Planning Commission, Staff and Board of Commissioners to provide notification to the school system at the time a pod has been sold; and restricting 50 percent of homes as rental properties.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was one person to speak in opposition of the application.

Jennie Hunt, adjacent resident, voiced concerns on the impact of traffic, where the development entrance would be located and the already overpopulation of schools in the area. Ms. Hunt also asked for clarification on the definitions of MPR and R-2.

Chairman Jody Palmer explained the role of the Planning Commission as a recommending body; the Board of Commissioners have the final decision on the application.

County Attorney J. Jayson Phillips and Planning & Zoning Manager Chris Robinson clarified the purposes of the zoning classification of land in Paulding County.

Department of Transportation Director George Jones addressed traffic concerns, as well as Mr. Henson's proposal of considering a roundabout at the corner of the development.

Board of Commissioner Chairman Dave Carmichael thanked the Planning Commission and Staff for their input and questions as this is the first MPR application to be heard before the public.

No further questions from the Planning Commission or Board of Commissioners.

Jim Henson motioned for approval of application **2021-03-Z**; with the seven recommended stipulations and two additional stipulations. Debra Sever motioned to amend the stipulation of the number of rental "pods" in the community from 50 percent to 40 percent. There was no one to second the motion to amend, therefore the motion failed.

Mr. Henson's original motion for approval of application **2021-03-Z** with seven listed stipulations and two additional as stated:

- 1. Owner/Developer agrees to follow terms contained in the development agreement dated June 26, 2020.**
- 2. Owner/Developer agrees access to the development shall be determined during the plan review process.**
- 3. Owner/Developer agrees roadway section(s) and associated geometrics to be determined during plan review process.**
- 4. Owner/Developer shall be responsible for incorporating horizontal 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.**
- 5. Owner/Developer acknowledges this development is within the mandatory Pumpkinvine Sewer Service Basin.**
- 6. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.**
- 7. Owner/Developer acknowledges that sewer availability is the subject of a development agreement with Paulding County dated November 12, 2019.**

8. **Owner/Developer agrees to provide notification to the School System at the time a pod has been sold.**
9. **Owner/Developer agrees to restrict up to 50% of the proposed homes as rental. This will be enforced by the Homeowners Association through the required protective covenants.**

Seconded by Ellis Astin. Motion carried (5-1-1).

FOR: Astin, Fitzgerald, Henson, Leggett, and Steele
AGAINST: Sever
ABSTAIN: Palmer

The recommendation will be forwarded to the Paulding County Board of Commissioners' meeting this evening at 7:00 PM for consideration. Applicant and any interested parties must be present.

New Business

2021-05-Z: Application by **ELITE ENGINEERING** requesting to rezone 32.80 acres from R-2 (Suburban Residential) to R-2 With Sewer (Sewered-Suburban Residential) for the proposed development of a 63 lot single-family subdivision. Property is located in Land Lots 53 and 52; District 2; Section 3; located on the west side of Dallas-Acworth Highway and south of Industrial Boulevard North. **POST 4**

Planning & Zoning Manager Chris Robinson stated staff recommends approval with twelve stipulations, three of which are amended. There have been two calls with questions and one letter.

Jonathan Jones, representing Summerlyn Homes, requesting the rezoning for development of a single-family subdivision. Mr. Jones pointed out that staff has agreed the site is in conformance with the Comprehensive Plan and Future Development Map. He stated that his client has reviewed the recommended stipulations, and is in agreement.

Planning Commission, Board of Commissioners and representative discussed respective concerns.

Support/ Input/ Comments

There was no one to speak on behalf of the application.

Opposition/ Input/ Comments

There was one person with concerns about the application.

Mark Shupert, a resident, voiced his concerns over the number of homes in the development, greenspace, impact on the creek bed and proposed facilitating a larger buffer. Mr. Shupert stated he was not in opposition, but he would like to see a conceptual plan showing the direction of the developer.

Roger Leggett motioned for approval of application **2021-05-Z**; with the twelve listed stipulations with amendments:

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 agrees to increase the required 25 ft. undisturbed/planted buffer along the perimeter of the development to 40 ft. where the development adjoins industrial zoned properties.**
3. **Owner/Developer acknowledges all amenity areas, detention area lots, lift station lots, easements, parking areas, and buildings may not be accounted for as greenspace areas.**

4. **Owner/Developer agrees to provide an archaeological investigational study for historical and archaeological significance of the site that will be prepared by an archaeological consultant which meets the Secretary of the Interior's Professional Qualification Standards.**
5. **Owner/Developer agrees access to the development shall be determined during the plan review process.**
6. **Owner/Developer agrees to a donation of property to accommodate a 120 ft. R.O.W., which would be 60 feet from the centerline of Dallas-Acworth Hwy.**
7. **Owner/Developer shall provide 10' of additional permanent easement along Dallas-Acworth Highway.**
8. **Owner/Developer agrees to provide a traffic impact study for this development. The traffic impact study will include existing and base year (fully built out year) build and no build analysis, and design year (base year plus 10 years) build and no build analysis. Study parameters and assumptions to be agreed on by Paulding County DOT.**
9. **Owner/Developer shall be responsible for incorporating horizontal 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.**
10. **Owner/Developer acknowledges sewer service is through the city of Dallas.**
11. **Owner/Developer agrees to relocate water mains outside acceleration/deceleration lanes, if required.**
12. **Owner/Developer agrees all dwelling units will meet the following design standards:**
 - (a) **Building Design.**

All dwelling units including attached two-car garages or carports architectural design elements described below as approved by the Planning and Zoning Division.
 - (b) **Building materials. Dwellings constructed in the Low Density Quality Residential Development District shall be subject to the following requirements.**
 1. **Building materials for exterior walls are limited to the following: brick, stone, cement board siding, and glass. Vinyl components – not horizontal siding may be permitted for aesthetic purposes.**
 2. **Building materials for roofs may be one of the following:**
 - a. **Architecturally textured composition shingles.**
 - b. **Slate shingles.**
 - c. **Standing seam metal roof approved by the Director of Community Development.**
 3. **Flat roofs (pitch less than 1:12) shall not be permitted on any building roof consisting of more than 200 sq. ft. in area.**

Seconded by James Steele. Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Sever and Steele
AGAINST: None
ABSTAIN: Palmer

The recommendation will be forwarded to the Paulding County Board of Commissioners' meeting this evening at 7:00 PM for consideration. Applicant and any interested parties must be present.

There being no further business, a motion to adjourn was made by Jim Henson, seconded by James Steele. Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Sever and Steele

AGAINST: None

ABSTAIN: Palmer

The meeting adjourned at 3:42 PM.

Jody Palmer, Chairman

Roger Leggett, Vice-Chairman