

**PAULDING COUNTY PLANNING COMMISSION MEETING**  
**May 24, 2022**

The regular meeting of the Paulding County Planning Commission was held on May 24, 2022 in the Watson Government Administration Building. Planning Commission members in attendance were Chairman Jody Palmer; Roger Leggett; Jim Henson; Helene Fitzgerald; Debra Sever; James Steele and Ellis Astin. Commissioner Board Chairman Dave Carmichael; Commissioner Keith Dunn; and County Attorney, J. Jayson Phillips were present. Staff in attendance included Community Development Director, Ann Lippmann; Planning and Zoning Manager, Chris Robinson; Planning and Zoning Senior Administrative Assistant, Leah Wilson; Water System Director, Laurie Ashmore; Department of Transportation Director, George Jones; Department of Transportation Deputy Director, Erica Parish; Director of Operations, Scott Greene; Chief Trevor Hess and Deputy Rodney Schubert from the Paulding County Marshal Bureau. Also in attendance, Jacob Wix from the Paulding County School District.

Planning Commission Chairman Jody Palmer called the meeting to order at 2:00 PM.

Chairman Palmer requested everyone turn off or silence all audible devices.

It was explained this is a recommending body and any action taken today will be forwarded to the Board of Commissioners for final approval. The Paulding Board of Commissioners next meeting will be May 25, 2022 at 7:00 p.m.

Policy and Procedures state applicants and anyone speaking on behalf of the application will have fifteen (15) 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.

**Approval of Minutes**

Jim Henson made a motion to adopt the Planning Commission meeting minutes from April 26, 2022 as printed; seconded by James Steele. Motion carried. (6-0-1).

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

Chairman Palmer announced to the Planning Commission to add an entry for the Public Hearing, as they will take a vote for recommendation to forward to the Board of Commissioners.

**Public Hearing:** Paulding County, Georgia will consider zoning ordinance text amendments to Title 2: Zoning of the Unified Development Ordinance for Paulding County, Georgia.

Community Development Director Ann Lippmann presented information regarding a few changes to the newly adopted UDO (Unified Development Ordinance). A detailed listing of all the changes outlined in the amendment may be found in Ordinance 22-08, which has been made available for the public.

There was a brief discussion between Planning Commission, Board of Commissioners and Director Ann Lippmann.

Chairman Palmer opened the floor for public comment, which there was none.

Roger Leggett made a motion to adopt the Text Amendment; seconded by James Steele. Motion carried (6-0-1).

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

The recommendation will be forwarded for consideration to the Paulding Board of Commissioners' next meeting on May 25, 2022 in the evening at 7:00 PM. Applicant and interested parties must attend.

**2022-14-Z:** Application by **DAVID COLE / CHRISTIE COLE**, requesting to rezone 1.3 acres from A-1 (Agricultural) to R-2 (Suburban Residential) to gift land to daughter to build a single family residence. Property is located in Land Lot 1289; District 2; Section 3; proposed property is north of Nebo Road; west of Clyde Cole Road. **POST 3.**

Planning & Zoning Manager Chris Robinson mentioned there were no calls with questions or any noted opposition. Staff recommends approval.

Christie Cole restated the intention to rezone a portion (1.3 acres) of the land for their daughter to build a house. Mrs. Cole stated she has two more children she hopes to be able to do the same for one day in the future.

**Support/Input/Comments**

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

**Opposition/Input/Comments**

There was no one with comments and concerns with the application.

Ellis Astin made a motion to **APPROVE** application **2022-14-Z**; Seconded by Roger Leggett. Motion carried (6-0-1).

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

AGAINST: None

ABSTAIN: Palmer

The recommendation will be forwarded to the Paulding Board of Commissioners' next meeting on May 25, 2022 in the evening at 7:00 PM. Applicant and interested parties must attend.

**2022-16-Z: Application by MICHAEL HUGHES (PAULDING COUNTY INDUSTRIAL BUILDING AUTHORITY)**, requesting to rezone approximately 127 acres from R-2 (Suburban Residential) to AML (Advanced Manufacturing Logistics) for a master industrial developer to develop Silver Comet Industrial Park. Property is located in Land Lots 907, 908, 965 & 966; District 2; Section 3; proposed site is located on both the north and south sides of Bill Carruth Parkway, west of Laird Road and west of south route 92. **POST 3.**

Planning & Zoning Manager Chris Robinson mentioned there was one call with questions, and one email in opposition which has been provided to the Planning Commission. Staff recommends approval with six (6) listed stipulations.

Tom Morris, Chairman of IBA, gave background history of the land which was acquired in 2019 with the vision of having the land developed as an industrial logistic park in the future. The goal was, and still is, to develop the land to attract capital investments and employment opportunities. The request to rezone to AML lines up to the new zoning category approved by the Board of Commissioners which would provide for large-scale facilities engaged in research, development, manufacturing and logistics consistent with the proposal.

Zack Marquist, Director of Investments with Golden Rod, mirrored statements made by Mr. Morris and is excited to have the opportunity to bring 150-plus jobs to the Paulding County area. Mr. Marquist stated he has toured similar facilities in Dallas, TX and New Jersey. Additionally, to kick off the park, the first building will be a top-end industrial development building around 367,000 sqft. These will serve as aftermarket truck and trailer parks.

Mr. Marquist mentioned the facility would be fenced in and they would make every effort to limit noise from construction. He is agreeable to the staff's six (6) recommended stipulations.

There was discussion between the applicant, Planning Commission and Board of Commissioners addressing current developers, the possibility of using local developers and future plans for the park.

**Support/Input/Comments**

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

**Opposition/Input/Comments**

There was no one with comments and concerns regarding the application.

Jim Henson made a motion to **APPROVE** application **2022-16-Z** with the six (6) listed stipulations;

- 1. Owner/Developer agrees access to the development shall be determined during the plan review process.**
- 2. Owner/Developer agrees that only one (1) one full access will be permitted along the property frontage of Bill Carruth Parkway.**
- 3. Owner/Developer agrees to provide a traffic impact study for this development. Study parameters and assumptions to be agreed on by Paulding County DOT.**
- 4. Owner/ Developer agrees to donate sufficient right of way along property frontage to accommodate a Bill Carruth Parkway / Laird Road intersection improvement project.**
- 5. Owner/Developer acknowledges the property is in the mandatory Sweetwater Sewer Service Basin and requirements from the Intergovernmental Wastewater Treatment Agreement for the Sweetwater Creek Basin between Paulding County, Georgia and Cobb County, Georgia dated July 17, 2007 must be followed.**
- 6. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.**

Seconded by Helene Fitzgerald. Motion carried (6-0-1).

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

The recommendation will be forwarded to the Paulding Board of Commissioners' next meeting on May 25, 2022 in the evening at 7:00 PM. Applicant and interested parties must attend.

**2022-17-Z:** Application by **TERRY S. BOOMER P.E ON BEHALF OF GX DEVELOPMENT, LLC**, requesting to waive and remove required sewer stipulations # 5-9 set forth in prior rezoning application: 2005-60-Z for the proposed development of a 3600 sqft convenience store / gas station. Property is located in Land Lot 1185; District 2; Section 3; site address is 873 William Lakes Road; south of Williams Lake Road and east side of Highway 92 (Hiram Douglasville Highway). **POST 3.**

Planning & Zoning Manager Chris Robinson mentioned there were no calls with questions or any noted opposition. Staff recommends denial, however if the Planning Commission votes to approve the application, Staff has provided four (4) requested stipulations.

Terry Boomer, representing GX Development, expressed his intention, like the prior applicant, to bring retail and employment opportunities into Paulding County; however, this particular property brings certain challenges – the main one being the lack of sewer.

The prior rezoning stipulations were agreed upon, however Mr. Boomer requests stipulations #5-9 be waived due to the ability for one user to tie on to the sewer logistically and economically. The quote for the nearest sewer given by the Water System is about 2,000 feet away, without gravity flow to it. Lastly, Mr. Boomer recognizes staff's recommendations, noting staff acknowledging the exclusion of items 5-9, but implementing them back to the residual and remaining property. He and his client and developer are amenable.

There was discussion amongst the Planning Commission, Staff, and applicant as it relates to sewer, whether removing the prior zoning stipulations (at that time) as requested today, cease to be a requirement as the regulations as they currently exist.

Water System Director Laurie Ashmore explained, a number of stipulations are placed on rezonings which are essentially restatements of what is required in the development regulations. Ms. Ashmore also concluded there is no benefit nor detriment to Paulding County if the stipulations are removed.

Chairman Palmer asked should the Planning Commission vote in favor of removing the stipulations, is it possible for the applicant to seek relief by means of a waiver process?

Ms. Ashmore stated the conditions are all covered in the Development Regulations and Ordinances.

Ms. Sever expressed concerns of this property, or any future user, would not be able to utilize the site as commercial due to the cost-prohibited lack of sewer availability. Ms. Ashmore agreed it is expensive to bring sewer onto this particular property.

County Attorney J. Jayson Phillips added, the stipulations the applicant is requesting to remove during this zoning, these stipulations are development regulations or ordinance requirements. That they exist regardless whether they were added to the stipulation list in 2005. This is the law in Paulding County by ordinance or regulation, and must be followed should an applicant seek to develop the property in this particular commercial way. Simply because a property is zoned commercial, does not mean the applicant does not also have to comply with infrastructure requirements (water / sewer) and development of the land which could be costly; they can still engage with a commercial use so long as they comply with the requirements.

Mr. Boomer, wanting to fully understand, restated for the record: this property has to be developed, if it is going to remain commercial and provide the required infrastructure.

Chairman Palmer concurred, also stating Mr. Boomer may want to contact Director Ashmore regarding any options for a possible waiver should this recommending body vote to not approve the application.

Planning & Zoning Manager Chris Robinson added, Staff takes a very practical approach to look at the bigger picture as to not set a precedence for future developments not having the required infrastructure for commercial.

**Support/Input/Comments**

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

**Opposition/Input/Comments**

There was no one with comments and concerns with the application.

James Steele motioned to **DENY** application **2022-17**; seconded by Roger Leggett.  
Motion carried (5-1-1).

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

The recommendation will be forwarded to the Paulding Board of Commissioners' next meeting on May 25, 2022 in the evening at 7:00 PM. Applicant and interested parties must attend.

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

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

The meeting adjourned at 2:54 PM.

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Jody Palmer, Chairman

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Roger Leggett, Vice-Chairman