

Sec. M. B-1 GENERAL BUSINESS DISTRICT

(1) Purpose and Intent. The B-1 District is composed of certain lands and structures in the County used primarily to provide for the retailing of goods and the furnishing of selected services to surrounding neighborhoods. Regulations within this district are intended to permit and encourage full development of necessary commercial use and at the same time protect nearby residential properties from possible adverse effects of such commercial activity. Any building or premises used for any of the permitted uses shall have not more than forty percent (40%) of the total floor area of the building or premises devoted to storage or industry purposes incidental to the primary use.

(2) Permitted Uses. Within the B-1 district, the following uses are permitted provided all activities are carried on entirely within an enclosed building and there is no outdoor storage of materials, supplies, inventory, equipment, accessories, etc. unless specified:

- (a) All uses permitted within the LRO, O-I, and NB Districts with no maximum square footage limit unless noted below.
- (b) Appliance stores selling predominantly at retail.
- (c) Auto parts store with no on-site repair.
- (d) Catering establishments.
- (e) Cleaning and pressing establishments for clothing; laundry pickup stations.
- (f) Colleges, business colleges, music conservatories, dancing schools, and other similar activities offering training in specific fields.
- (g) Commercial parking lots or garages.
- (h) Car wash facilities
- (i) Department stores.
- (j) Greenhouses and nurseries of a commercial nature with outside storage limited to five thousand (5,000) square feet.
- (k) Grocery, fruit, vegetable markets.
- (l) Hotels, tourist courts, motels.
- (m) Indoor health/fitness centers.
- (n) Laboratories, medical, dental, and similar activities.
- (o) Light automotive repair establishments, emissions inspection stations.
- (p) Music studios.
- (q) Newspaper offices and printing establishments.
- (r) Package stores for alcoholic beverages subject to appropriate state and local licensing requirements.
- (s) Restaurants, cafeterias, including drive-ins and fast food; commercial recreation restaurants.
- (t) Temporary uses.
- (u) Theaters.
- (v) Veterinary care and associated boarding facility provided no part of any outside structure, pen, run, enclosure, or fence for animals is located closer than fifty (50) feet to any property line.
- (w) Other similar and like retail business or service establishments.

(3) Lot Size, Area, and Setback Requirements:*

*Unless otherwise specified; also subject to approval by State Environmental Health.

- (a) Minimum lot size: 20,000 sq. ft.
- (b) Minimum public road frontage: 30 feet
- (c) Minimum lot width at building line: 75 feet; 60 feet in curve / cul-de-sac
- (d) Minimum front yard setback: 40 feet
- (e) Minimum side yard setback: 10 feet; 25 feet if corner lot or if abut residential
- (f) Minimum rear yard setback: 15 feet; 40 feet if abut residential
- (g) Maximum building height: Three stories

(4) Off-street parking: See ARTICLE VII of this Ordinance.

(5) Required buffers: See ARTICLE VI, Sec. E. of this Ordinance.

(6) Sign regulations: See ARTICLE XII of this Ordinance.

**PAULDING COUNTY BOARD OF COMMISSIONERS
JANUARY 23, 2007
BOARD MEETING MINUTES**

CALL TO ORDER: Hal Echols, Chairman Pro Tem

**INVOCATION &
PLEDGE:**

Rev. Junior Freeman – Antioch Baptist Church

PRESENT:

Larry Ragsdale, Post I; Hal Echols, Chairman Pro Tem; Wayne Kirby, Post IV; Beverly Cochran, Executive Assistant/County Clerk; Pat Crook, Administrator; Lani Skipper, Attorney

MINUTES: Wayne Kirby made a motion to adopt the January 9, 2007, Work Session Minutes, and the January 9, 2007, Board Meeting Minutes, seconded by Larry Ragsdale; motion carried unanimously.

ANNOUNCEMENTS: None

INVITED GUESTS: *Daniel L. Phillips – Eagle Scout* Chairman Pro Tem Hal Echols presented Daniel L. Phillips with Boy Scout Troop #116 at the Acworth United Methodist Church in Acworth with a Certificate of Achievement for his accomplishment of Eagle Scout. A photo was made for the Dallas New Era newspaper.

BID AWARDS:

Larry Ragsdale made a motion to approve the bid award for Contract #1 of the Coppermine Water Reclamation Facility for rough grading to the low bidder Butch Thompson Enterprises, Inc. in the amount of \$484,810, seconded by Wayne Kirby; motion carried unanimously.

REPORTS FROM COMMITTEES & DEPARTMENTS: None

CONSENT AGENDA: Wayne Kirby made a motion to adopt the four (4) items listed below from the consent agenda:

1. Appoint Tina Thomas to the Keep Paulding Beautiful Board. (Term 1/23/07 – 12/31/09)
2. Appoint Timothy H. Carruth to the Water Sewer Advisory Board. (Term 1/23/07 – 12/31/07)
3. Amend the December 12, 2007⁶, Board of Commissioners Minutes regarding stipulation #7 on 2006-65-Z to read:

Additional stipulation agreed to by the applicant.

7. *Owner/Developer agrees to increase the required side (north and south sides) building setbacks and buffers to 55 feet, as well as, from any property lines which abut any and all future County Park property.*

4. Acceptance of Subdivision Streets for perpetual maintenance:

Bramlett Meadows Unit I
Bramlett Meadows Drive
Bramlett Meadows View

The Park at Cedarcrest Phase I Sections A&B
Cedarcrest Boulevard
Parkmont Court

Bramlett Meadows Unit II

Wayne Meadows Court
 Craig Meadows Lane
 Edwin Meadows Terrace
 Dwayne Meadows Trace
 Cole Meadows Place

Bramlett Meadows Unit III

Merrill Meadows Point
 Bramlett Meadows

Oak Run

Oakbridge Drive
 Oakbrook Lane
 Oakfield Way
 Lakehill Way

The Park at Cedarcrest Phase 2 Section B

Branch Valley Drive
 Branch Valley Lane

Swafford Plantation

Swafford Drive
 Cynthia Court
 Pamela Way

seconded by Larry Ragsdale; motion carried unanimously.

OLD BUSINESS: None

NEW BUSINESS:

Resolution 07-02 providing for the sale of not to exceed \$65,000,000 Paulding County, Georgia general obligation bonds (Courthouse-Government Complex Project) series 2007:

Larry Ragsdale made a motion to table until February 13, 2007, Resolution 07-02 providing for: (1) the sale of not to exceed \$65,000,000 Paulding County, Georgia general obligation bonds (Courthouse-Government Complex Project) series 2007; (2) the naming of an authenticating agent, bond registrar and paying agent for said bonds; (3) the adoption of a form to which said bonds shall adhere; (4) the preparation of a tax digest of the levy of a tax sufficient to pay the principal and interest on said bonds; (5) the execution and delivery of said bonds; and (6) for other related purposes, seconded by Wayne Kirby; motion carried unanimously.

ITEMS FROM THE 2:00 P.M. PLANNING COMMISSION MEETING:

2007-02-Z: Wayne Kirby made a motion to approve with stipulations 2007-02-Z application by JERRY FIELDS to rezone approximately 1.733 acres from A-1 (Agricultural District) to R-2 (Suburban Residential District) for an addition to a single-family residential development. Property is located in Land Lots 1246, 1247, 1274, and 1275; District 2, Section 3; on the north side of Ridge Road, west of Mein Mitchell Road.

PLANNING COMMISSION RECOMMENDATION: APPROVAL (6-0-1) with the following stipulations:

1. Owner/Developer shall donate additional right-of-way to provide for a minimum of 120 feet along Ridge Road (60 feet from centerline) plus a 20 foot permanent slope and drainage easement. The easement area may not be used in meeting the minimum lot area.
2. Owner/Developer to provide a report showing 750 gpm fire flow to all fire hydrants within 300 ft. of all buildings.
3. Owner/Developer agrees to install Invensys "radio read" meters or approved equal for the development.
4. Owner/Developer agrees to relocate all existing water and sewer infrastructure out from under A/D lanes, if required.
5. Owner/Developer agrees to provide a master water plan under separate cover prior to

2007-15-Z:

Larry Ragsdale made a motion to approve with stipulations 2007-15-Z application by WESTSIDE ORGANIZERS, LLC to rezone approximately 2.525 acres from O & I (Office and Institutional District) to B-1 (General Business District) for retail development. Property is located in Land Lots 461, 462, 475 and 476; District 2, Section 3; southwest side of SR 6 (AKA Atlanta Highway) north of US 278 (AKA Jimmy Campbell Parkway) and south of Hiram Drive.

PLANNING COMMISSION RECOMMENDATION: APPROVAL (5-0-2) with the following stipulations:

1. Owner/Developer to provide report showing 1,000 gpm fire flow to all fire hydrants within 300 ft. of all buildings in the entire development and an analysis showing developments impact on the water system.
2. Owner/ Developer agrees to install Invensys "radio read" master meter for entire development.
3. Owner/Developer agrees to relocate all existing water infrastructure out from under A/D lanes, if required.
4. Owner/Developer agrees to provide a master water and sewer plan under separate cover prior to Preliminary plat, including analysis of all existing infrastructure. Improvements may be required.
5. Owner/Developer agrees to install a minimum 1,500 gallon outside grease trap on all restaurants and food preparatory establishments.
6. Owner/Developer agrees to dedicate all sanitary sewer easements to Paulding County prior to final plat.
7. Owner/Developer agrees to install a manhole and donate a 20-foot wide permanent easement to the proposed property lines for all major drainage features to the north, east, south, and west as applicable. Specific locations to be determined during the plan review process. Infrastructure shall be sized to serve the entire basin.
8. Owner/Developer agrees that any lift station built for the proposed development will be private.
9. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of rezoning.
10. Owner/Developer shall provide interparcel access to be determined during the plan review process.

Seconded by Wayne Kirby; motion carried unanimously.

2006-64-Z:

Wayne Kirby made a motion to approve with stipulations and the Memorandum of Understanding 2006-64-Z Amended application by STAN STEPHENS to rezone approximately 59.21 acres from R-2 (Suburban Residential District) to B-1 (General Business District) for commercial development/ retail shops and senior assisted living facilities. Property is located in Land Lots 147, 149, and 150, District 19, Section 2; north side of SR 120 (AKA Charles Hardy Parkway), west of Citizens Square Road.

(Applicant amended and withdrew this portion from application request: ~~Variance request to reduce the buffer from 25 feet to 0 feet and reduce the side setback from 40 feet to 0 feet along the western property line adjacent to West Ridge Church as per site plan.~~)

MEMORANDUM OF UNDERSTANDING

January 12, 2007

We the undersigned submit this memorandum of understanding with the anticipation that it will become part of the Owner/Developers rezoning application and therefore become a voluntary condition of rezoning:

1. Owner/Developer agrees to forward the rezoning application to be heard on November 28, 2006 to the regularly scheduled Planning Commission meeting to be held on January 23, 2007.
2. Owner/Developer agrees to develop a senior living facility on the property adjoining the eastern property line of West Ridge Church, and will not develop the property for other commercial uses.
3. Owner/Developer agrees to donate by transfer of title to West Ridge Church, a portion of his property along the eastern property line of West Ridge Church, sufficient to allow the church to provide 5 feet of landscape screening between the 2 properties and construct a minimum of 160 parking spaces and subject to the following stipulations:
 - 3.1. West Ridge Church desires that the donated property consist of a uniform strip of 60 feet along the eastern property line. The Owner/Developer will attempt to accommodate such request but reserves the right to reallocate the donated land as necessary to develop his site within the following conditions:
 - 3.1.1. The donated property will provide a uniform strip of at least 30 feet along the eastern property line of the Church (5 feet of this will be dedicated to landscape screening).
 - 3.1.2. Owner/Developer agrees to apply for a variance to reduce the buffer and setback to 0 feet adjacent to the church's current (before donation) property line. West Ridge Church stipulates no objection to this variance subject to these conditions herein.
 - 3.2. Owner/Developer agrees that no building will be constructed on the Owner/Developer's site within 30 feet of the current (before donation) property line of West Ridge Church.
4. Owner/Developer and West Ridge Church will grant each property owner a parking cross easement to allow parking in each property owner's parking lots.
5. Owner Developer agrees to bear all costs associated with a traffic study related to the construction of a driveway and traffic signal on S.R. 120. West Ridge Church agrees to cooperate and provide any information as needed for such study and during the approval process for the traffic signal.
6. Owner/Developer agrees to design and construct at no cost to West Ridge Church, a driveway with an ingress/egress easement for travel from S.R. 120 to an access point to the church's property line at the southeastern corner in conjunction with the construction of the Owner/Developer's site. The Owner/Developer further agrees that it will allow the church to tie into said driveway and the Church will be responsible for all costs to connect from its property line internal to the Owner/developers site.

7. West Ridge Church agrees to make available for cross easement, or sale, (at a nominal price), to the Owner/Developer, a portion of the land at the southeast corner of the Church's property for permanent road construction for access to the Church and senior living facility.
8. West Ridge Church agrees to provide public support for the Owner/Developers rezoning petition subject to the provisions herein. In order to provide this support, Pastor Bloye will stand at the rezoning meeting in support of the Owner/Developer's rezoning application.


Stan Stephens Associates, Inc.


West Ridge Church, Inc.

Seconded by Larry Ragsdale; motion carried unanimously.

CONCLUSION OF REGULAR BUSINESS

CLOSED SESSION: None

CITIZENS WISHING TO SPEAK: None

ADJOURNMENT:

Larry Ragsdale made a motion to adjourn, seconded by Wayne Kirby; motion carried unanimously.


Beverly Cochran, Executive Assistant


Hal Echols, Chairman Pro Tem