



# City of Powder Springs

## Agenda

### City Council

City of Powder Springs  
4484 Marietta Street  
Powder Springs, GA  
30127

*Mayor  
Patricia C. Vaughn*

*Council Members:  
Rosalyn Neal, Thomas Bevirt  
Ra Barr, Al Thurman, Bob Farmer*

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Monday, July 21, 2008

7:00 PM

Council Chambers

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- 1. Call to Order**
- 2. Invocation and Pledge of Allegiance**
- 3. Approval of Minutes**
  - a. June 16, 2008 Regular City Council Meeting
  - b. Special Meeting, July 16, 2008

- 4. Mayor's Comments**
- 5. Citizens Comments**
- 6. City Attorney**

#### Consent Agenda

- A. ORD 08-012 2nd RDING**, an ordinance amending Section 10-72 of the Code of Ordinances by adopting and incorporating therein certain rules and regulations of the Cobb County Board of Health.
- B. ORD 08-013 Public Hearing & 2nd RDING**, an ordinance to amend Chapter 12 of the Code of Ordinances by: (i) repealing Article III thereof relating to pawnbrokers; (ii) adding a new article III relating to taxation, revenue and business license regulations; (iii) revising certain definitions of the Occupation Tax Ordinance set forth at Section 12-160.
- C. ORD 08-019 1st Rding**, an ordinance to amend Section 8-24, of the Code of Ordinances, Effect of Delinquencies on Licenses,
- D. RES0 08-038** A Resolution accepting a bid and authorizing the Mayor to execute a contract with Butch Thompson Enterprises for the New Macland Road sidewalk and bridge repair services for a total cost not to exceed \$29,697.

**E. RES0 08-039** A Resolution authorizing the Mayor to execute a letter of assignment in favor of SAFEbuilt, Inc. for the provision of inspection services.

**F. RES0 08-040** A resolution authorizing the City of Powder Springs to accept a donation of real property and to authorize the Mayor to execute closing documents related to the donation.

**G. RES0 08-042** A Resolution accepting a bid and authorizing the Mayor to execute a contract with Tippins Contracting Company, Inc., for water and sewer utility infrastructure relocation services in the construction area of the new Lewis Road Project for an amount not to exceed \$512,160.25.

**H. RES0 08-043** A Resolution implementing a temporary moratorium on signs, exclusive of temporary signs, in order to allow the City time to study existing sign ordinance(s), and, as deemed necessary, to (i) amend the current sign ordinance(s) or (ii) draft and adopt new sign ordinances(s); to establish an effective date; and for other purposes.

**I. RES0 08-044** A Resolution authorizing the Mayor to execute a lease agreement with Thomas F. Yearger, Barry L. Yeager, Elizabeth A. Biggs d/b/a Town Square Associates concerning the rental of temporary office space located at 4488 Pineview Drive, Powder Springs, GA. 30127 for the Court Services Department.

**J. PZ-08-028** **Hardship Variance - Minimum Lot Size**  
**Butch Davis**  
**182 Old Austell Road**  
**LL 946**  
Stipulations:  

1. That the applicant apply for design review of the proposed office building in accordance with the Commercial Development Overlay standards within 30 days of the hearing at which approval of any variance is granted.
2. That the applicant apply for a building permit within 30 days of approval of design review.
3. That the temporary shed be removed within 120 days from the date of the hearing at which approval of the variance is granted.

**K. PZ-08-044** **Design review - Commercial Development Overlay**  
**Butch Davis**  
**4182 Old Austell Road**  
**LL 946**  
Stipulations:  

1. That the plans be substantially in accordance with the rendering and floor plan submitted for staff review entitled "Office building for John Davis 4182 Old Austell Road" preparer unknown. All pages dated received 05-27-08.
2. That the building comply with all setback requirements of the UDC.
3. That the exterior of the proposed building use cementitious or wood siding and that the columns of the proposed building be made of wood.

4. That the shingles of the proposed building be grey, black, or other dark earth tone color to compliment the overall color scheme of the building.
5. That the building be painted with an earth tone color and the trim be painted in bone, white or other soft earth tone color complimenting the building.
6. That a building permit be applied for within 30 days of the hearing at which approval by Mayor and City Council is granted and that construction is completed by December 31, 2008.
7. That landscaping be installed on the property consistent with requirements of Article 5 and in accordance with the Commercial Development Overlay by December 31, 2008.
8. Any development of the site must comply with the Commercial Overlay standards.
9. Building permit to reflect conditions.

## Regular Agenda

L. **PZ-08-039** **Rezoning- NRC to CRC**  
**Powder Springs Retail Investors, LLC**  
**Kathy Circle and Richard D. Sailors Parkway**  
**LL 800 and 829**

M. **PZ-08-031** **Special Use Approval for alcoholic beverages within a movie theater**  
**Powder Springs Retail LLC.**  
**Kathy Circle and Richard D. Sailors Parkway**  
**LL 800 and 829**

N. **PZ-08-038** **Special Use Approval for Wine & Liquor Store**  
**Powder Springs Retail LLC.**  
**LL 800 and 829**  
**1050 Richard D. Sailors Pkwy Ste. 1000 and 1100**

O. **PZ-08-032** **Rezoning-Change in Site Plan and Conditions of Zoning**  
**Asa Candler/Candler Development Co.**  
**Florence Road extension, Florence Road, and CH James Parkway**  
**LL 804, 805, 824, and 825**  
**Revised - 07-03-08**

P. **PZ-08-045** **Variance for Density**  
**Asa Candler/Candler Development Co.**  
**Florence Road extension, Florence Road, and CH James Parkway**  
**LL 804, 805, 824, and 825**

Q. **PZ-08-043** **Variance: to allow a time extension on planting landscape.**  
**Terranova Engineering**  
**Pine Grove Center**  
**Pine Grove Drive and Powder Springs Road**  
**LL 866 and 867**

R. **PZ-08-042** Variance: Exterior siding material for a storage shed  
Linda Centore  
3341 Mustang Drive  
LL 761

S. **ORD 08-018** 2nd Rdng & Public Hearing, Millage Rate for 2008

T. **SCH-08-001** Show Cause Hearing, Shevawn Carter, Pashur Property Enterprises, LLC, d/b/a Pashur Shell, 4150 Marietta Street

U. **SCH-08-002** Show Cause Hearing, Jim Barlow, Jr, Quick Thrift Food Stores, Inc., 4551 Brownsville Road

V. **AL-08-004** Alcohol License  
Robert E. Smallwood  
Powder Springs Wine & Sprits Shoppe  
1050 Richard D. Sailors Parkway Ste. 1000 and 1100

W. **AL-08-003** Alcohol License  
Tracy R. Billings  
Allstar Convenience Stores, LLC, d/b/a Powder Springs Texaco  
3290 New Macland Road

X. **RES0 08-045** A Resolution accepting a bid and authorizing the Mayor to execute a contract with Safe Secure Home, Inc., Safe Secure GPS, Safe Secure Community Developments, for services related to the construction and installatio n of a payment window and wall for Municipal Court Offices.

## 7. City Council Reports

- a. Al Thurman
- b. Ra Barr
- c. Tom Bevirt
- d. Bob Farmer
- e. Rosalyn Neal

## 8. City Manager

## 9. Adjournment