



Planning and Zoning Commission Public Hearing

Holly Springs Public Safety Building, Council Chambers
3235 Holly Springs Pkwy, Holly Springs, GA 30115
Thursday, December 12, 2024 | 7:00 PM

Chris Adams | Adrian Dekker - Chair | Mike Grayeski - Vice Chair | Eric Huminski | Andy Norris

AGENDA

I. CALL TO ORDER

II. PUBLIC HEARING RULES

III. OLD BUSINESS/PUBLIC HEARING

IV. NEW BUSINESS/PUBLIC HEARING

- A. **A-05-2024**, applicant, James Thomas, requests annexation of 4.7 +/- acres located off of Hickory Road, Cherokee County, GA, tax parcel 051A of tax plat 15N26.
- B. **MA-06-2024**, applicant, James Thomas, requests rezoning of 4.7 +/- acres located off of Hickory Road, Holly Springs, GA, tax parcel 051A of tax plat 15N26, from AG, Agricultural (County), to GC, General Commercial (City).
- C. **CUP-04-2024**, applicant, Tejas Patel, requests a conditional use permit for a convenience store with gasoline pumps for property located off of Holly Springs Parkway, Holly Springs, GA, tax parcel 001 of tax plat 15N14D.
- D. **ORD-9-2024**, text amendment to Article 14: Amendments and Zoning Procedures of the Holly Springs Zoning Ordinance, to amend application procedures and requirements.
- E. November 14, 2024 Planning and Zoning Public Hearing Meeting minutes.
- F. November 21, 2024 Planning and Zoning Work Session Meeting minutes.

V. REPORTS/COMMENTS

VI. ADJOURNMENT

ITEM REPORT

AGENDA ITEM NUMBER: IV.A.



FROM: Nancy Moon, Community Development Director

MEETING DATE: December 12, 2024

AGENDA ITEM: A-05-2024, applicant, James Thomas, requests annexation of 4.7 +/- acres located off of Hickory Road, Cherokee County, GA, tax parcel 051A of tax plat 15N26.

EXECUTIVE SUMMARY:

Applicant, James Thomas, requests annexation of 4.7 +/- acres located off of Hickory Road, Cherokee County, GA, tax parcel 051A of tax plat 15N26. The property is currently being used for the operation of a daycare. In addition, there is a baseball field in the rear of the property. The applicant plans to continue with both of these uses.

Cherokee County Response

The Cherokee County Board of Commissioners discussed this case at its December 3, 2024, meeting. There was a lengthy discussion concerning the intensity of the requested zoning (GC, General Commercial). The Board recommended that conditions that limit the uses to those of light commercial and recreation be implemented or that the existing uses be permitted to continue under the AG, Agricultural zoning district with a conditional use permit to allow the daycare, with an overall goal of preventing heavy commercial uses in this area.

FISCAL IMPACT:

N/A

ATTACHMENTS:

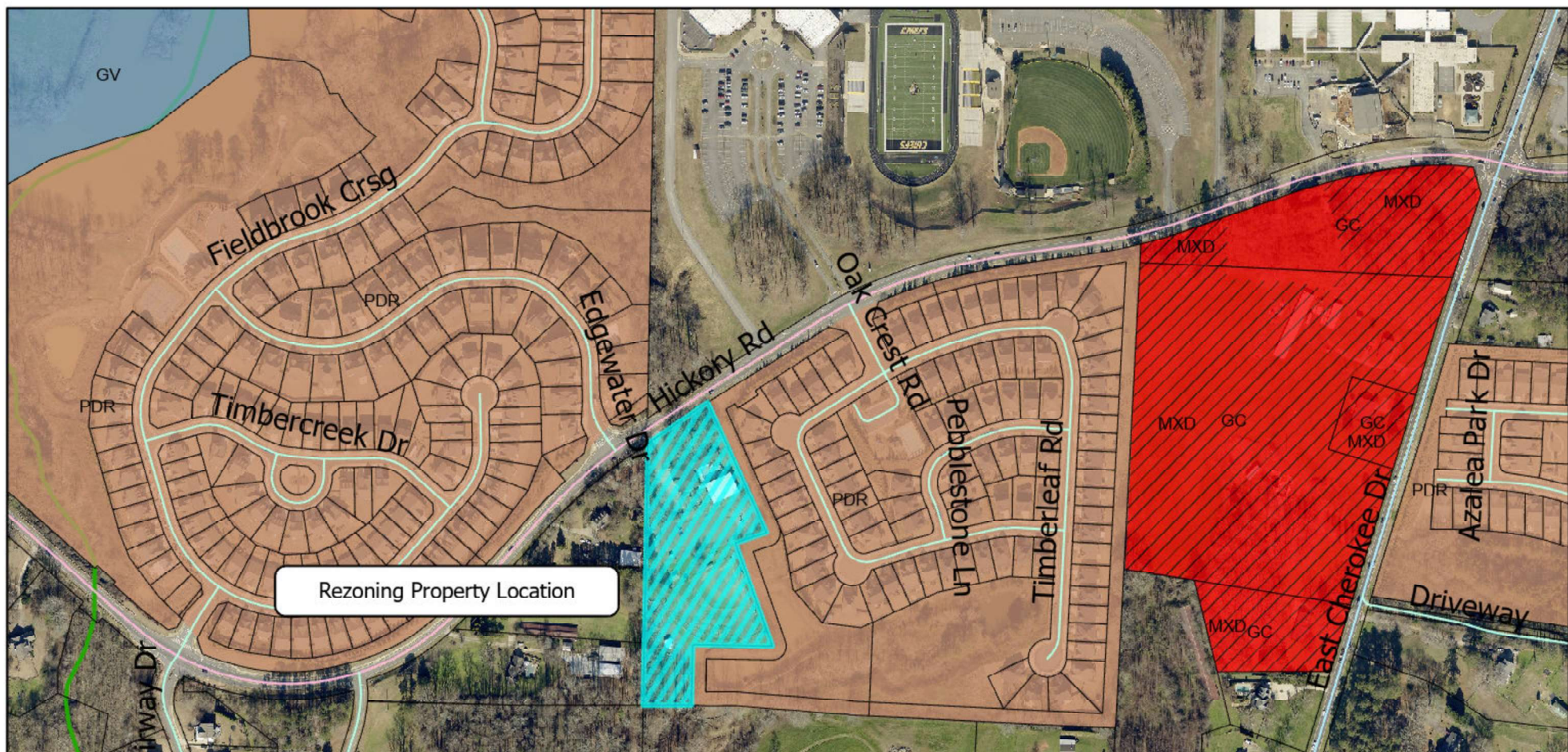
1. Location Map
2. Site Plan
3. Application
4. Tax Plat

RECOMMENDATION:

The staff recommendation is approval of the annexation.

CONCURRENCES:

City Manager



A-05-2024 & MA-08-2024

Location Map

Parcels_2024

ZONING

- AG- Agricultural
- R-80- Estate Residential
- R-40- Single Family Residential Estate
- R-20- Single Family Residential

RD-20- Single Family and Duplex

RD-3- Single Family Residential

PUD- Planned Unit Development

TND- Traditional Neighborhood Development

PDR- Planned Development Residential

HDMFR- High Density Multi-Family Residential

GC- General Commercial

NC- Neighborhood Commercial

OI- Office Institutional

GV-Governmental

LI- Light Industrial

MXD-Mixed Use Overlay

Railroad

Streets_10172024



GENERAL NOTES~

THE FIELD DATA UPON WHICH THIS PLAT IS BASED
HAS AN ANGULAR ERROR OF 9 SECONDS PER ANGLE
POINT AND A PRECISION RATIO OF 1 IN 45,704. IT
HAS BEEN ADJUSTED USING THE COMPASS RULE.

EQUIPMENT USED TO OBTAIN THESE MEASUREMENTS
WAS A TOPCON GTS-303.

THE DATA SHOWN ON THIS PLAT HAS A CLOSURE
PRECISION RATIO OF 1 IN 674,480

ALL I.P.'s ARE 1/2" REDBARS.

BEARINGS ARE CALCULATED FROM ANGLES TURNED
FROM A SINGLE REFERENCED BEARING ALONG THE
WESTERLY PROPERTY LINE.

ACCORDING TO THE CURRENT "F.I.A. OFFICIAL FLOOD HAZARD MAP", COMMUNITY PANEL NO. 13057C 0266 D, DATED SEPTEMBER 29, 2006, THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

ALL MATTERS OF TITLE ARE EXCEPTED.

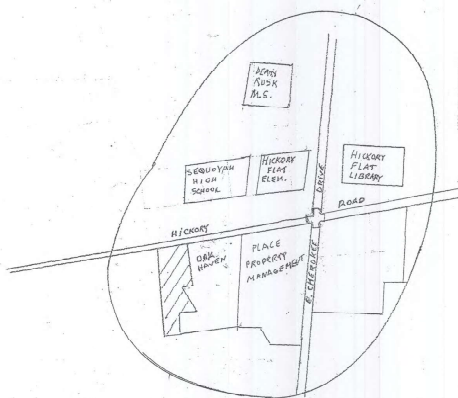
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF
A TITLE SEARCH. THERE MAY BE EASEMENTS OR
OTHER ENCUMBRANCES NOT SHOWN.

THE SURVEY AND PLAT SHOWN HEREON IS NOT INTENDED FOR USE OR RELIANCE BY ANY PARTIES OR ENTITIES NOT SPECIFICALLY LISTED IN THE TITLE. UNAUTHORIZED THIRD PARTIES SHALL INDEMNIFY AND HOLD JOHNSTON SURVEYING, LLC, HARMLESS AGAINST ANY AND ALL LIABILITY FOR ANY LOSS ARISING OUT OF, OR RELATED TO, RELIANCE BY ANY THIRD PARTY ON ANY WORK PERFORMED THEREUNDER, OR THE CONTENTS OF THE SURVEY.

PROPERTY ADDRESS:
4360 HICKORY ROAD
CANTON, GA 30115

REFERENCES:
1) DB 2803, PG. 202
2) PB 54, PG. 103

AREA = 201,942 SQ. FT.
4.705 ACRES

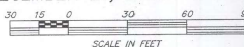


VICINITY MAP

EXISTING CHILD CARE CENTER
WITH GYM, POOL, BALLFIELD

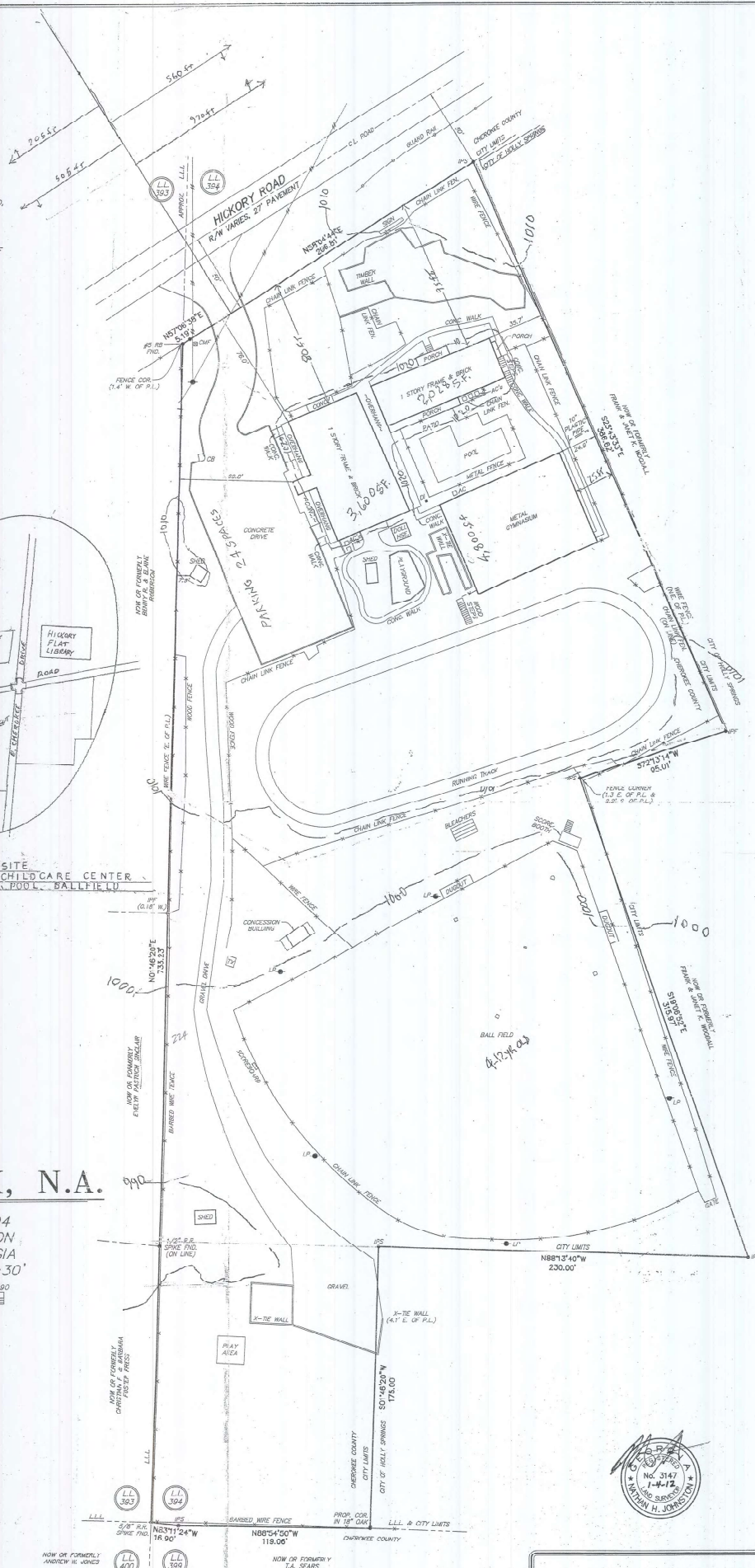
SURVEY FOR
CHEROKEE BANK, N.A.

LOCATED IN LAND LOT 394
15th DISTRICT, 2nd SECTION
CHEROKEE COUNTY, GEORGIA
DECEMBER 21, 2011 1"=30'



LEGEND

- [illegible]



JOHNSTON SURVEYING, LLC

110 WOODLAND ROAD
CANTON, GA 30114
770-720-4594

A-05-2024

**City of Holly Springs, Georgia****Petition for Annexation****100% Method***Please completed one petition per parcel; duplicate this form as needed. Please print or type.***APPLICANT INFORMATION**Date: 9/15/24Applicant's Name: JAMES THOMASCorporation Name: CHILDRENS ACADEMY OF HICKORY FLAT, INCMailing Address: 335 BELLINGER LANE CANTON 30115Phone: [REDACTED]Email: [REDACTED]**PROPERTY OWNER INFORMATION**Property Owner(s): JAMES THOMASMailing Address: 335 BELLINGER LANE SEE ATTACHEDPhone: [REDACTED]Email: [REDACTED]**PROPERTY INFORMATION**Tax Map #: _____ Parcel #: 15N26051ALand Lot(s)/District: LL 394 15TH DISTPhysical Address: 4360 HICKORY RD CANTONProperty Location Description: ACROSS FROM SEQUOYAH High SchoolCurrent Zoning: AG

(Attach additional sheets, if necessary)

Rev. 03/2015

Has an application for rezoning, special use, or variance been applied for in the County within the past five (5) years? NO If "yes," please provide complete explanation and details in the space below:

(attach additional sheets, if necessary)

Describe the proposed development for the property in question should the annexation be approved, including the appropriate City zoning classification desired. (NOTE: Any annexation request requiring a rezoning in the City will need to be made on the appropriate rezoning request forms for the City of Holly Springs. This annexation petition does not complete the requirements for making a rezoning request).

THIS DEVELOPMENT HAS BEEN IN
OPERATION SINCE 1997. THE CURRENT ZONING
OF AG IS NOT IN LINE WITH OTHER
SIMILAR CHILDCARE CENTERS IN CHEROKEE CO.

(attach additional sheets, if necessary)

SUBMITTAL CHECKLIST

The following exhibits must be attached to this Annexation Petition:

- ☒ A copy of the most recent warranty deed or equivalent conveyance of ownership for the property to be annexed;
- ☒ A copy of the Cherokee County Tax Plat, illustrating the property to be annexed;
- ☒ Complete the Applicant & Property Owner(s) Signature Sections, following page;
- ☐ Any additional information requested by City Officials.

APPLICANT & PROPERTY OWNERS SIGNATURE SECTION

JAMES THOMAS
Applicant Name (Please Print)

CHILDRENS ACADEMY OF HICKORY FARM OWNER/CFO
Corporation Name (Please Print) Title (Please Print)

James Thomas 9/12/2024
Applicant Signature Date

ALL PROPERTY OWNERS (GRANTEES) MUST SIGN BELOW AS INCLUDED ON THE ATTACHED DEED OR CONVEYANCE.

JAMES THOMAS
Property Owner Name (Please Print)

James Thomas 9/12/2024
Property Owner Signature Date

Sarah Erwin SEE ATTACHED
Property Owner Name (Please Print)

Sarah Erwin 9/26/24
Property Owner Signature Date

Property Owner Name (Please Print)

Property Owner Signature Date

Notary (form must be notarized)

Received by: Nancy Moon
City of Holly Springs, Georgia

Date: 10/25/2024

The undersigned minority owner of the Children's Academy of Hickory Flat, Inc
approve the Petition for Annexation Application for the City Of Holly Springs.

Sarah Erwin Sarah Erwin Date 9/28/24
Signature

[Signature]

Notary



The undersigned minority owner of the Children's Academy of Hickory Flat, Inc
approve the Petition for Annexation Application for the City Of Holly Springs.

Bryan Thomas _____ Date 10/1/2024
Signature

Notary



The undersigned majority owner of the Children's Academy of Hickory Flat, Inc approve the Petition forAnnexation Application for the City Of Holly Springs.

James Thomas James Thomas Date 9/27/24
Signature

Jesus Colon 9/27/24
Notary

JESUS I COLON
NOTARY PUBLIC
Cobb County
State of Georgia
My Comm. Expires March 14, 2027

The undersigned minority owner of the Children's Academy of Hickory Flat, Inc
approve the Petition for Annexation Application for the City Of Holly Springs.

Luke Thomas  Date 10-3-24
Signature


Notary

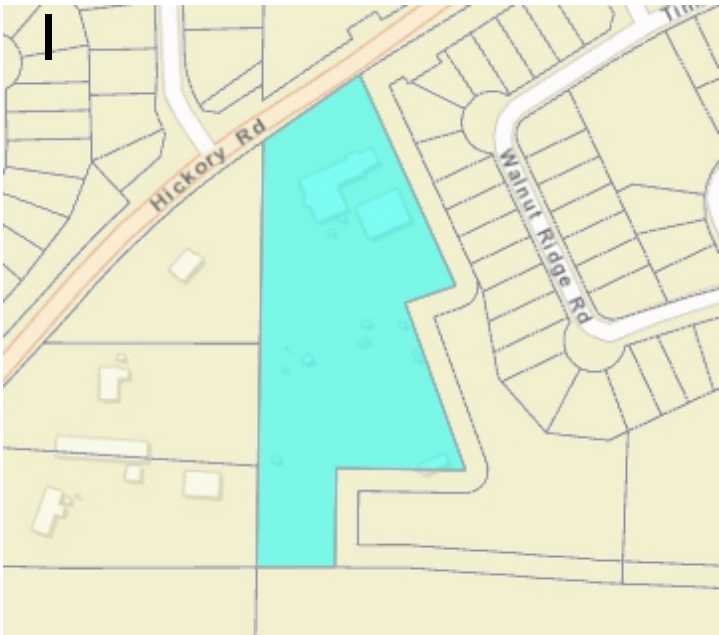


Report generated 10/26/2024 4:40:43 PM



Vicinity Map

1: 21,797.98



Tax parcel highlighted in cyan

1: 4,927.02

Tax Parcel Information

Owner: CHILDREN'S ACADEMY OF

Property Address: 4360 Hickory Rd, Canton 30115

Subdivision:

TIN: 15N26 051 A

PIN: 15-0394-0003

Mailing Address: 4360 HICKORY RD, CANTON, GA 30115

Acreage: 4.71

Lot #: -

PB/PG:

DB/PG:

ITEM REPORT

AGENDA ITEM NUMBER: IV.B.



FROM: Nancy Moon, Community Development Director

MEETING DATE: December 12, 2024

AGENDA ITEM: MA-06-2024, applicant, James Thomas, requests rezoning of 4.7 +/- acres located off of Hickory Road, Holly Springs, GA, tax parcel 051A of tax plat 15N26, from AG, Agricultural (County), to GC, General Commercial (City).

EXECUTIVE SUMMARY:

Applicant, James Thomas, requests rezoning of 4.7 +/- acres located off of Hickory Road, Cherokee County, GA, tax parcel 051A of tax plat 15N26, from AG, Agricultural (County), to GC, General Commercial (City). The property is currently being used for the operation of a daycare. In addition, there is a baseball field in the rear of the property. The applicant intends to continue the operation of the daycare. The baseball field has been utilized in the past for community games and tournaments, but has not been used recently. The applicant plans to reinstate the use of the baseball field in the future, as well as, continue the daycare operation.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Staff Analysis
2. Location Map
3. Site Plan
4. Application
5. Tax Plat

RECOMMENDATION:

The staff recommendation is approval of the rezoning application with the following stipulations:

1. Lighting shall be replaced with environmentally sensitive lighting, with the owner making every effort to ensure that lighting is as unobtrusive as possible, utilizing fully-shielded LED lamps in compliance with the International Dark Sky Association, or equivalent organization.

2. The following uses shall be prohibited:

- a. Adult Entertainment
- b. Agricultural Implement Sales and Service
- c. Ambulance Service
- d. Amusement parks
- e. Animal hospitals/clinics with outdoor kennels
- f. Auditorium
- g. Auto Repair
- h. Auto Service
- i. Big Box Commercial Retail Structures
- j. Boat Sales Facility
- k. Bowling Alley
- l. Brew Pub
- m. Cash, Check Cashing, and Pawn Establishments
- n. CBD and Hemp Oil Retail Establishments
- o. Cellular phone towers
- p. Fast food restaurant with a drive-thru
- q. Funeral Homes and Mortuaries
- r. Go-kart, motor bike track
- s. Laundering Establishments
- t. Membership Club Warehouse
- u. Parking Lot, Automobile
- v. Tattoo Parlors and Body Piercing Establishments
- w. Tire sales with outdoor storage
- x. Used Vehicle Sales, Lease, or Rental

3. Operation of the ball field shall be limited to between the hours of 9:00 a.m. and 9:00 p.m.

4. Future development shall comply with the regulations of the Holly Springs Zoning Ordinance.

CONCURRENCES:

City Manager

Staff Analysis

A. Existing Land Use and Zoning Classification of Nearby Property

ADJACENT ZONING		ADJACENT DEVELOPMENT	
NORTH:	AG/R-40 (County) PDR	NORTH:	Sequoyah High School Edgewater Subdivision
SOUTH:	AG (County)	SOUTH:	SFR
EAST:	PDR	EAST:	Oakhaven Subdivision
WEST:	AG (County)	WEST:	SFR

B. Zoning Proposal Review Standards; Study Required for Amendment

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property?

Surrounding development in the area includes single-family residential, as well as Sequoyah High School, Dean Rusk Middle School, Hickory Flat Elementary School, and the Hickory Flat Public Library. Nearby development under construction includes the Place Services corporate headquarters, Onestreet Senior Development, a self-storage building with retail and office on the 1st floor, as well as, a retail/office building. The continued operation of a daycare and outdoor recreation, i.e. ballfield, would be suitable for this area.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property?

The continuance of the requested uses should not affect the use of surrounding properties.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned?

The property, as currently zoned, would be allowed to be utilized for the grandfathered uses, as long as they continue, or other uses associated with the AG, Agricultural zoning district.

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, public safety, or schools?

This request may generate additional traffic during game times; however, there is only one field and the use is limited to that of elementary and/or middle school age games.

5. Whether the zoning proposal is in conformity with the policy and intent of the adopted Future Development Map (FDM)?

The Future Development Map identifies this property with the character area of Neighborhood Center. The areas shown as “Neighborhood Center” on the future development map are very similar to traditional neighborhoods. One noteworthy distinction between traditional neighborhoods and neighborhood center is that “neighborhood centers” are likely to have higher compositions of nonresidential (civic, office, neighborhood-serving retail) uses than “traditional neighborhoods.”

Application: Existing and new single-family residential neighborhoods with a mixed-use component.

Primary Future Land Uses: Neighborhood commercial, office, and government uses, and parks, recreation, greenways, and trails included as part of a traditional neighborhood.

Zoning Districts: PD-R, TND, NC, OI, GV, MXD-1, MXD-2

6. Whether the zoning proposal is in conformity with the policies, objectives, and vision set forth by the Community Agenda (Comprehensive Plan) and other adopted policy documents?

The proposed use is pre-existing and is in compliance with the vision and objectives of the Community Agenda, primarily as follows:

- a) **Traditional Neighborhood Development. Promote traditional neighborhood and mixed-use developments in appropriate areas, which could include commercial, multi-family, and single-family sections within the same project area. (9.1, #4)**
 - b) **Annexation. Consider municipal boundary expansion opportunities as unincorporated property owners petition for annexation. (9.1, #9)**
 - c) **Land Use Decisions. Use the Future Development Map (FDM) as a guide when making land use decisions (map amendment requests) and reviewing other development proposals. (9.1, #22)**
7. Whether an impact is expected on the environment, including, but not limited to, drainage, soil erosion, and sedimentation, flooding, air quality, and water quality and quantity?

Although no future development of the property is planned, any future development of the property will be held to the environmental development standards for all local, state, and federal requirements. Engineering design and approval will meet all standards.

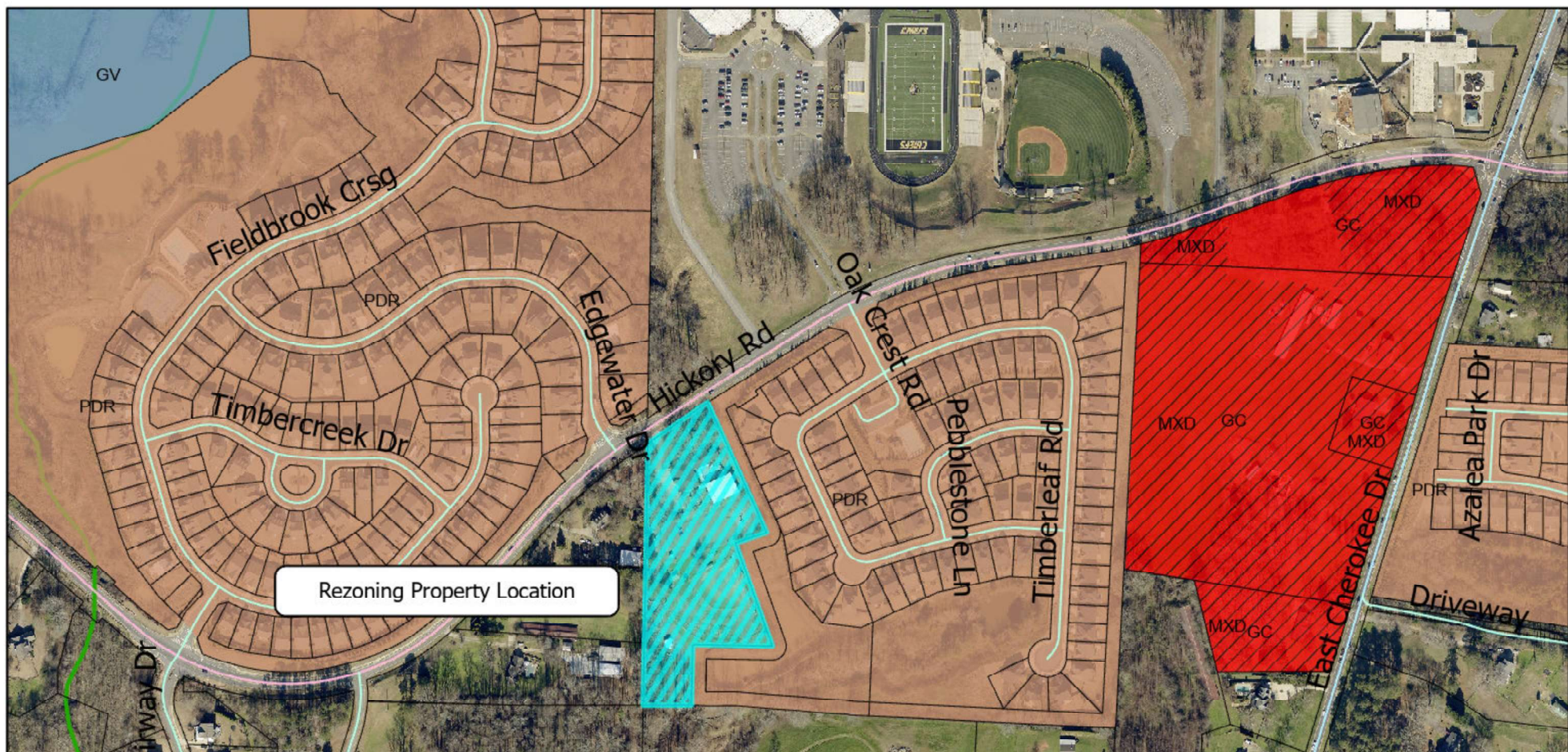
8. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?

The continued use of the property as a daycare and ballfield will continue a service for the area residents and their families. Residential development in the area will continue

to provide a need for these services. The area is experiencing other types of nonresidential development, as well.

C. Cherokee County Response

The Cherokee County Board of Commissioners discussed this case at its December 3, 2024, meeting. There was a lengthy discussion concerning the intensity of the requested zoning (GC, General Commercial). The Board recommended that conditions that limit the uses to those of light commercial and recreation be implemented or that the existing uses be permitted to continue under the current AG, Agricultural zoning district with a conditional use permit to allow the daycare, with an overall goal of preventing heavy commercial uses in this area.



A-05-2024 & MA-08-2024

Location Map

Parcels_2024

ZONING

- AG- Agricultural
- R-80- Estate Residential
- R-40- Single Family Residential Estate
- R-20- Single Family Residential

- RD-20- Single Family and Duplex
- RD-3- Single Family Residential
- PUD- Planned Unit Development
- TND- Traditional Neighborhood Development

- PDR- Planned Development Residential
- HDMFR- High Density Multi-Family Residential
- GC- General Commercial
- NC- Neighborhood Commercial
- OI- Office Institutional

- GV-Governmental
- LI- Light Industrial
- MXD-Mixed Use Overlay
- Railroad
- Streets_10172024



1500' x 1500' 51'
2 miles

GENERAL NOTES~

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS AN ANGULAR ERROR OF 3 SECONDS PER ANGLE POINT AND A PRECISION RATIO OF 1 IN 45,704. IT HAS BEEN ADJUSTED USING THE COMPASS RULE.

EQUIPMENT USED TO OBTAIN THESE MEASUREMENTS WAS A TOPCON GTS-303.

THE DATA SHOWN ON THIS PLAT HAS A CLOSURE PRECISION RATIO OF 1 IN 474,481.

ALL L.P.'S ARE "H" REBAR'S.

DRAWINGS ARE CALCULATED FROM ANGLES TURNED FROM A SINGLE REFERENCE BEARING ALONG THE WESTERLY PROPERTY LINE.

ACCORDING TO THE CURRENT "F.I.A. OFFICIAL FLOOD HAZARD MAP", COMMUNITY PANEL NO. 13057C 0286 D, DATED SEPTEMBER 29, 2006, THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

ALL MATTERS OF TITLE ARE EXCEPTED.

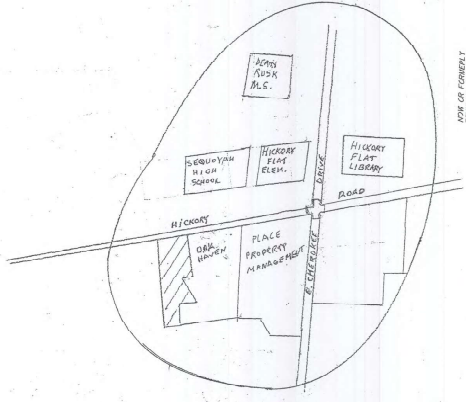
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH. THERE MAY BE EASEMENTS OR OTHER ENCUMBRANCES NOT SHOWN.

THE SURVEY AND PLAT SHOWN HEREON IS NOT INTENDED FOR USE OR RELIANCE BY ANY PARTIES OR ENTITIES NOT SPECIFICALLY LISTED IN THE TITLE. UNAUTHORIZED THIRD PARTIES SHALL INDEMNIFY AND HOLD JOHNSON SURVEYING, LLC, HARMLESS AGAINST ANY AND ALL LIABILITY FOR ANY LOSS ARISING OUT OF, OR RELATED TO, RELIANCE BY ANY THIRD PARTY ON ANY WORK PERFORMED THEREUNDER, OR THE CONTENTS OF THE SURVEY.

PROPERTY ADDRESS:
4350 HICKORY ROAD
CANTON, GA 30115

REFERENCES:
1) DB 2853, PG. 202
2) PB 54, PG. 103

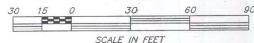
AREA = 204,942 SQ. FT.
4.705 ACRES



VICINITY MAP
EXISTING CHILDCARE CENTER
WITH GYM, POOL, BALLFIELD

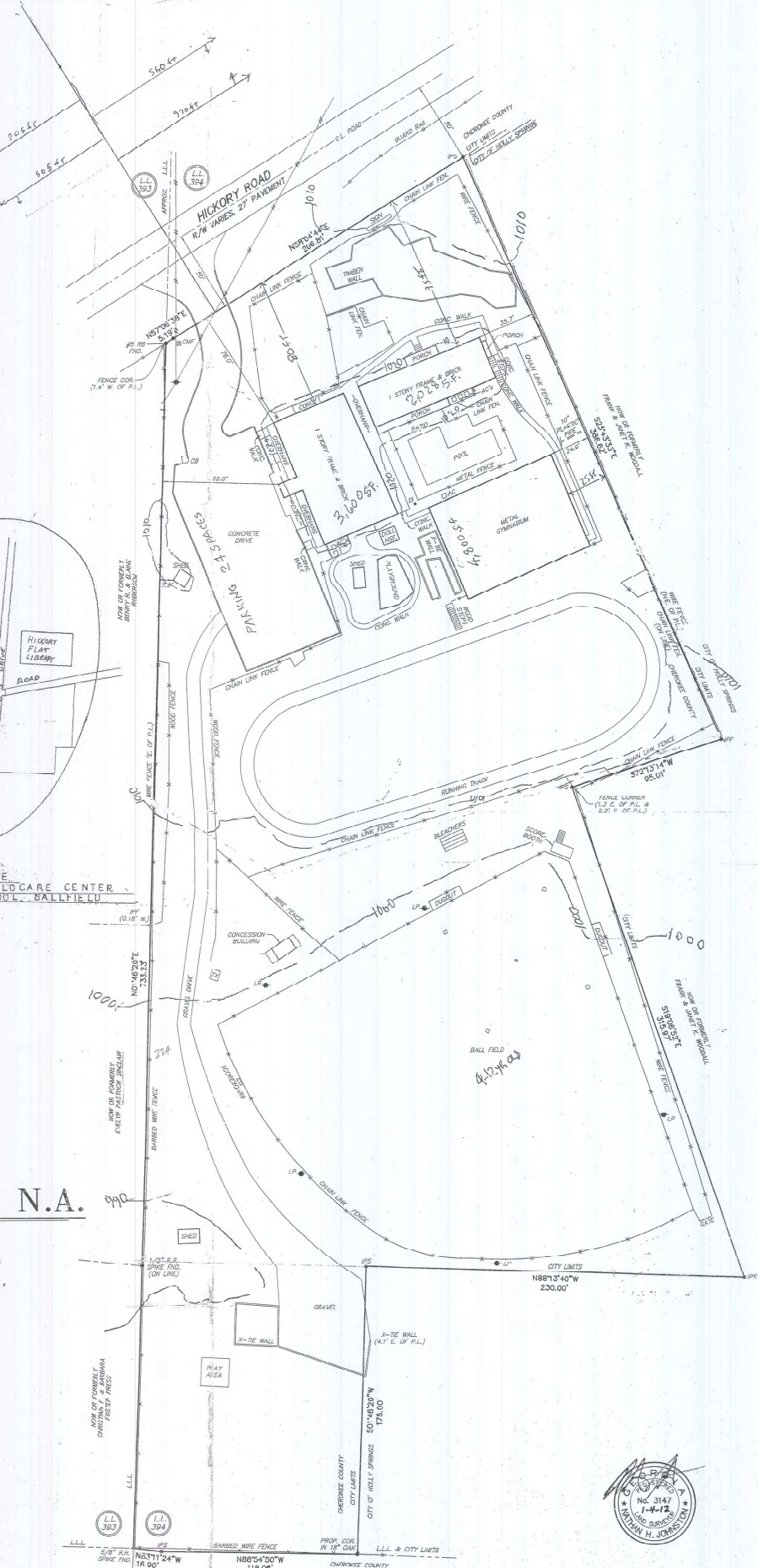
**SURVEY FOR
CHEROKEE BANK, N.A.**

LOCATED IN LAND LOT 394
15th DISTRICT, 2nd SECTION
CHEROKEE COUNTY, GEORGIA
DECEMBER 21, 2011 1"=30'



LEGEND

- = 1/2" REBAR FND.
- = 1/2" REBAR SET
- = RIGHT OF WAY
- = SANITARY SEWER EASEMENT
- = DRAINAGE EASEMENT
- = LAND LOT LINE
- = CENTERLINE
- = CROWN TOP PIPE
- = OPEN TOP PIPE
- = CORRUGATED METAL PIPE
- = REINFORCED CONCRETE PIPE
- = DROP INLET
- = JUNCTION BOX
- = MANHOLE
- = CATCH BASIN
- = BENCHMARK
- = POWER POLE
- = FIRE HYDRANT
- = CONCRETE MONUMENT FND.
- = BLACK TOP CURB
- = EDGE OF PAVEMENT
- = FENCE
- = OVERHEAD ELEC. SERVICE LINE
- = BUILDING LINE
- = UNDERGROUND POWER LINE
- = TRANSFORMER



JOHNSTON SURVEYING, LLC

110 WOODLAND ROAD
CANTON, GA 30114
770-720-4594



MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA-08-2024 APPLICATION CUP-
HEARING DATE DATE OF APPLICATION
APPLICANT JAMES THOMAS OWNER SEE ATTACHED
(If other than applicant) OWNERS
ADDRESS 335 BELLINGER LANE ADDRESS
CANTON GA 30115
ZIP CODE 30115 PHONE [REDACTED] ZIP CODE PHONE
EMAIL [REDACTED] EMAIL
SIGNATURE [REDACTED] SIGNATURE

APPLICANT OR REPRESENTATIVE MUST ATTEND MEETING OR APPLICATION WILL NOT BE CONSIDERED

PRESENT ZONING DISTRICT(S) AG REQUESTED ZONING DISTRICT EC
REQUESTED CONDITIONAL USE(S)
PROPERTY LOCATION/ADDRESS 4360 HICKORY RD
MAP NUMBER PIN 15-0394-0003 PARCEL NUMBER(S) 15-0394-003
LAND LOT(S) LL 39415TH DIST DISTRICT(S) SECTION(S)
ACREAGE 9.7 AC SEWAGE DISPOSAL TYPE SEPTIC UTILITIES AVAILABLE ALL
DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:
EXISTING CHILDCARE BUSINESS WITH BALLFIELD

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application:

- ☒ WARRANTY DEED
- ☐ TAX DOCUMENTATION
- ☒ SURVEY PLAT BY REGISTERED SURVEYOR
- ☒ 1 LARGE COPY (22" x 34") OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR ✓ PDF
- ☐ COPY OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR
- ☒ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ☐ ATTACHMENT B (CONDITIONAL USE PERMIT REQUESTS ONLY)
- ☒ WATER/SEWER AVAILABILITY LETTER FROM CCWSA (CHEROKEE COUNTY WATER AND SEWERAGE AUTHORITY)

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION:

APPROVED _____ STIPULATIONS _____

DISAPPROVED _____

CITY COUNCIL DECISION:

APPROVED _____ STIPULATIONS _____

DISAPPROVED _____

FILING FEES _____ RECEIPT# _____ CHECK# _____

Application Information

Please print or type answers, using additional paper or a separate sheet of paper, if necessary.

(1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property? PROPERTY SHOWN ON THE CITY OF HOLLY SPRINGS "FUTURE DEVELOPMENT MAP" AS "NEIGHBORHOOD CENTER"

(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property? NO ADVERSE AFFECT

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned? CURRENT ZONING OF AG IS LOWEST DESIGNATED USE

(4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, public safety, or schools? CURRENT BUSINESS USE WILL NOT CHANGE

(5) Whether the zoning proposal is in conformity with the policy and intent of the adopted Future Development Map (FDM) and Future Land Use Map (FLUM)? THE ZONING CONFORMS WITH THE MAPS

(6) Whether the zoning proposal is in conformity with the policies, objectives, and vision set forth by the Community Agenda (Comprehensive Plan) and other adopted policy documents? THE PROPOSAL CONFORMS WITH ALL KNOWN POLICIES, OBJECTIVES AND VISION OF THE COMPREHENSIVE PLAN

(7) Whether an impact is expected on the environment, including, but not limited to, drainage, soil erosion, and sedimentation, flooding, air quality, and water quality and quantity?

NONE - ALREADY IN OPERATION

(8) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal? NONE

Complete the following section, if applicable.

Residential

N/A

Minimum house size: _____ sq. ft.

Exterior façade: _____

Maximum number of units: _____

Anticipated start date: _____

Anticipated completion date: _____

Commercial

Number of buildings: 3

Maximum square footage: 15,228 sq. ft.

Number of stories: 1

Total number of employees: 17

Exterior façade: BRICK, METAL, VINYL

Anticipated start date: ONGOING

Anticipated completion date: EXISTING

Must be completed by applicant, all owners, and any other person wishing to speak at the public hearing, i.e., engineer, surveyor, etc...

ATTACHMENT A

DISCLOSURE

Please answer the following questions.

A.) Are you, or anyone else with a property interest in the property, a member of the City of Holly Springs Planning and Zoning Commission or City of Holly Springs Council?

_____ YES X _____ NO

B.) Does an official of such public bodies have any financial interest in any business entity, which has a property interest in the subject property?

_____ YES X _____ NO

C.) Does a member of the family of such official have an interest in the subject property as described in (A) and (B)?

_____ YES X _____ NO

D.) Within two (2) years immediately preceding this application, have you made campaign contributions aggregating \$250.00 or more?

_____ YES X _____ NO

If yes, in accordance with O.C.G.A. 36-67A-3, you are required to provide the following information at least five calendar days prior to the Public Hearing:

Public Official's Name: _____

Official Position: _____

Dollar Amount of Contribution: _____

Description of Contribution: _____

Date of Contribution: _____

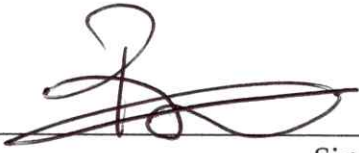
If you have made more than one campaign contribution, please add an additional sheet which lists the above details of **each** campaign contribution.

9/17/24
DATE

JAMES THOMAS
NAME PRINTED

James Thomas
SIGNATURE

The undersigned minority owner of the Children's Academy of Hickory Flat, Inc approve the Map Amendment (Rezoning) Application for the City Of Holly Springs.

Bryan Thomas  Date 10/1/2024
Signature


Notary



The undersigned minority owner of the Children's Academy of Hickory Flat, Inc
approve the Map Amendment (Rezoning) Application for the City Of Holly Springs.

Sarah Erwin Sarah Erwin Date 9/28/24
Signature

K. Shah

Notary



The undersigned majority owner of the Children's Academy of Hickory Flat, Inc
approve the Map Amendment (Rezoning) Application for the City Of Holly Springs.

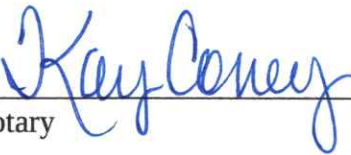
James Thomas James Thomas Date 9/27/24
Signature

Jesus I Colon 9/27/24
Notary

JESUS I COLON
NOTARY PUBLIC
Cobb County
State of Georgia
My Comm. Expires March 14, 2027

The undersigned minority owner of the Children's Academy of Hickory Flat, Inc
approve the Map Amendment (Rezoning) Application for the City Of Holly Springs.

Luke Thomas  Date 10-3-24
Signature


Notary

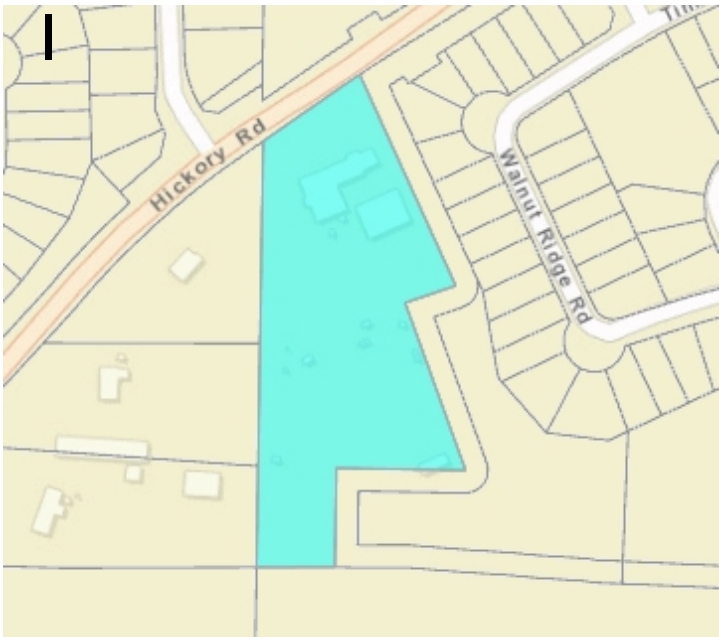


Report generated 10/26/2024 4:40:43 PM



Vicinity Map

1: 21,797.98



Tax parcel highlighted in cyan

1: 4,927.02

Tax Parcel Information

Owner: CHILDREN'S ACADEMY OF

Property Address: 4360 Hickory Rd, Canton 30115

Subdivision:

TIN: 15N26 051 A

PIN: 15-0394-0003

Mailing Address: 4360 HICKORY RD, CANTON, GA 30115

Acreage: 4.71

Lot #: -

PB/PG:

DB/PG:

ITEM REPORT

AGENDA ITEM NUMBER: IV.C.



FROM:

MEETING DATE: December 12, 2024

AGENDA ITEM: CUP-04-2024, applicant, Tejas Patel, requests a conditional use permit for a convenience store with gasoline pumps for property located off of Holly Springs Parkway, Holly Springs, GA, tax parcel 001 of tax plat 15N14D.

EXECUTIVE SUMMARY:

Applicant, Tejas Patel, requests a conditional use permit for a Convenience Store with Gasoline Pumps for property located off of Holly Springs Parkway, Holly Springs, GA, tax parcel 001 of tax plat 15N14D. The property is zoned GC, General Commercial. A standalone Convenience Store without Gasoline Pumps is permitted by right in this zoning district. The ordinance permits a Gasoline Service Station with the approval of a conditional use permit. The applicant is requesting to develop a Convenience Store **with** Gasoline Pumps thus necessitating the approval of a conditional use permit. In addition, the applicant is requesting a variance to reduce the lot size requirement from 1.0 acre to 0.934 acre. Operating as a Chevron franchise, the business is planned to open in December of 2025, operating from 6:00 a.m. until 10:30 p.m. daily, and employing up to 6 employees.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Staff Analysis
2. Location Map
3. Revised Site Plan
4. Application
5. Public Information Meeting Report
6. Citizen Comments

RECOMMENDATION:

The staff recommendation is denial of the conditional use permit.

CONCURRENCES:

City Manager

Staff Analysis

A. Existing Land Use and Zoning Classification of Nearby Property

ADJACENT ZONING		ADJACENT DEVELOPMENT	
NORTH:	GC	NORTH:	SFR
SOUTH:	GC	SOUTH:	SFR
EAST:	GC	EAST:	Undeveloped
WEST:	R-20	WEST:	SFR

B. Zoning Proposal Review Standards; Study Required for Amendment

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property?

Surrounding development in the area consists of large-lot single-family residential uses. The development of a convenience store with gasoline pumps would not be compatible with the surrounding uses.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property?

With the existing neighboring uses being residential, the development of a convenience store with gasoline pumps would adversely affect the usability of these properties by inconveniencing the residents with traffic, noise, and gasoline fumes, limiting their ability to enjoy their homes.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned?

The property could be developed with other GC, General Commercial permitted uses that would not impact the surrounding residences to the same degree as that of a convenience store with gasoline pumps.

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, public safety, or schools?

Additional traffic may be generated that would impact the existing street and transportation facilities. The project will be limited to a right-in/right-out entrance due to the widening of Holly Springs Parkway. There will not be a median break at this location. The City of Holly Springs follows the Georgia Department of Transportation guidelines for median breaks.

5. Whether the zoning proposal is in conformity with the policy and intent of the adopted Future Development Map (FDM)?

The Future Development Map identifies this property with the character area of Parkway Corridor. This character area follows Holly Springs Parkway and also encompasses land around interchanges of I-575. The Parkway Corridor is intended to provide primarily a commercial service function, i.e. retail sales, services, and offices, while maintaining quality development standards and sensitive transition to the Holly Springs Town Center. It also includes a high-density multi-family residential component.

Application: Existing and new commercial and high-density multi-family residential

Primary Future Land Uses: office, retail, service, high-density multi-family residential

Zoning Districts: HDMFR, PD-C, NC, GC, OI, GV

While this use does provide retail sales and services, it does not provide a sensitive transition to the Holly Springs Town Center.

6. Whether the zoning proposal is in conformity with the policies, objectives, and vision set forth by the Community Agenda (Comprehensive Plan) and other adopted policy documents?

The proposed use is in conflict with the policies, objectives and vision, primarily as follows:

- a) **Commercial-Less Intense Uses.** Encourage the expansion of neighborhood commercial and office/institutional development containing compatible and complimentary uses that do not detract from the city's established residential areas. (9.1, #2)
- b) **Incompatibility.** Protect the city's established residential areas from encroachment by incompatible land uses. (9.1, #12)
- c) **Conditional Uses.** Continue to regulate the designated conditional uses, to protect the health, safety, welfare, natural environment, and character of the City of Holly Springs. Revise and expand conditional uses in the future as determined by Mayor and Council. (9.1, #13)
- d) **Protect the character and integrity of existing neighborhoods, while also meeting the needs of communities** (2006 Regional Development Plan Policy #7). (10.3, #1)
- e) **Minimize intrusion of light, sound, traffic and night-time activity between non-residential uses and single-family neighborhoods by approving higher density residential uses between nonresidential and single-family land uses.** If non-residential uses are approved, establish increased distances and vegetative screening through conditions of zoning or special use permit approval. (10.3, #3)
- f) **When a rezoning or conditional use permit proposal is received in a transitional part of the corridor, the proposal should be carefully regulated, through conditions of rezoning or special use approval, to ensure that building height, building placement,**

intensities, densities, location of parking, placement of accessory uses, buffers, tree protection, landscaping, exterior lighting, site amenities and other site planning features are compatible with protected neighborhoods. "Compatible" means that the characteristics of different land uses, or activities located near each other are in harmony and without conflict. (10.4, #2)

7. Whether an impact is expected on the environment, including, but not limited to, drainage, soil erosion, and sedimentation, flooding, air quality, and water quality and quantity?

Any future development of the property will be held to the environmental development standards for all local, state, and federal requirements.

8. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?

Although the property is zoned GC and is in the Parkway Corridor future development character area, this project is not compatible with the surrounding area nor does it provide a suitable shift from residential to commercial. Surrounding development is all largely residential and this proposal does not provide any type of transition from low-density residential to this high-impact commercial development. It also does not provide a logical transition into the Town Center as it is in close proximity to this model zoning district and future development character area.

C. Conditional Use Proposal Review Standards

Under Attachment B in the application, the City asks each CUP applicant to complete 16 questions related to the proposed use. The applicant has completed these questions and they are attached in the Conditional Use Permit application.

The applicant has requested a Conditional Use Permit for a Convenience Store **with** Gasoline Pumps. The ordinance permits a Convenience Store **without** Gasoline Pumps by right. Since the request includes gas pumps, the closest regulation is a Gasoline Service Station. The Conditional Use Permit for a Gasoline Service Station requires the following regulations:

5.4-18 Gasoline Service Stations. Gasoline Service Stations include buildings and premises wherein the primary use is the retail sale of gasoline to the general public, and where the incidental sales of oil, grease, batteries, and motor vehicle accessories to the general public and minor auto services may be provided; however, such services shall not include major mechanical or body work, repair of transmissions or differentials, straightening of body parts, painting, welding or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in gasoline service stations. The purpose of this Section is to minimize conflicts between pedestrians and vehicles, to assure that Gasoline Service Stations do not detract from the aesthetic quality and operational safety of adjacent land uses, to promote the safe operation of Gasoline Service Stations, to mitigate negative environmental effects resulting from fumes, smog, litter, harmful run-off, contaminates, spillage, impervious

surfaces, and to ensure that Gasoline Service Stations are compatible with adjacent uses and surrounding neighborhoods and businesses. In addition to an application for a conditional use permit, the applicant shall submit evidence sufficient to demonstrate compliance, and at all times thereafter remain compliant with the following standards:

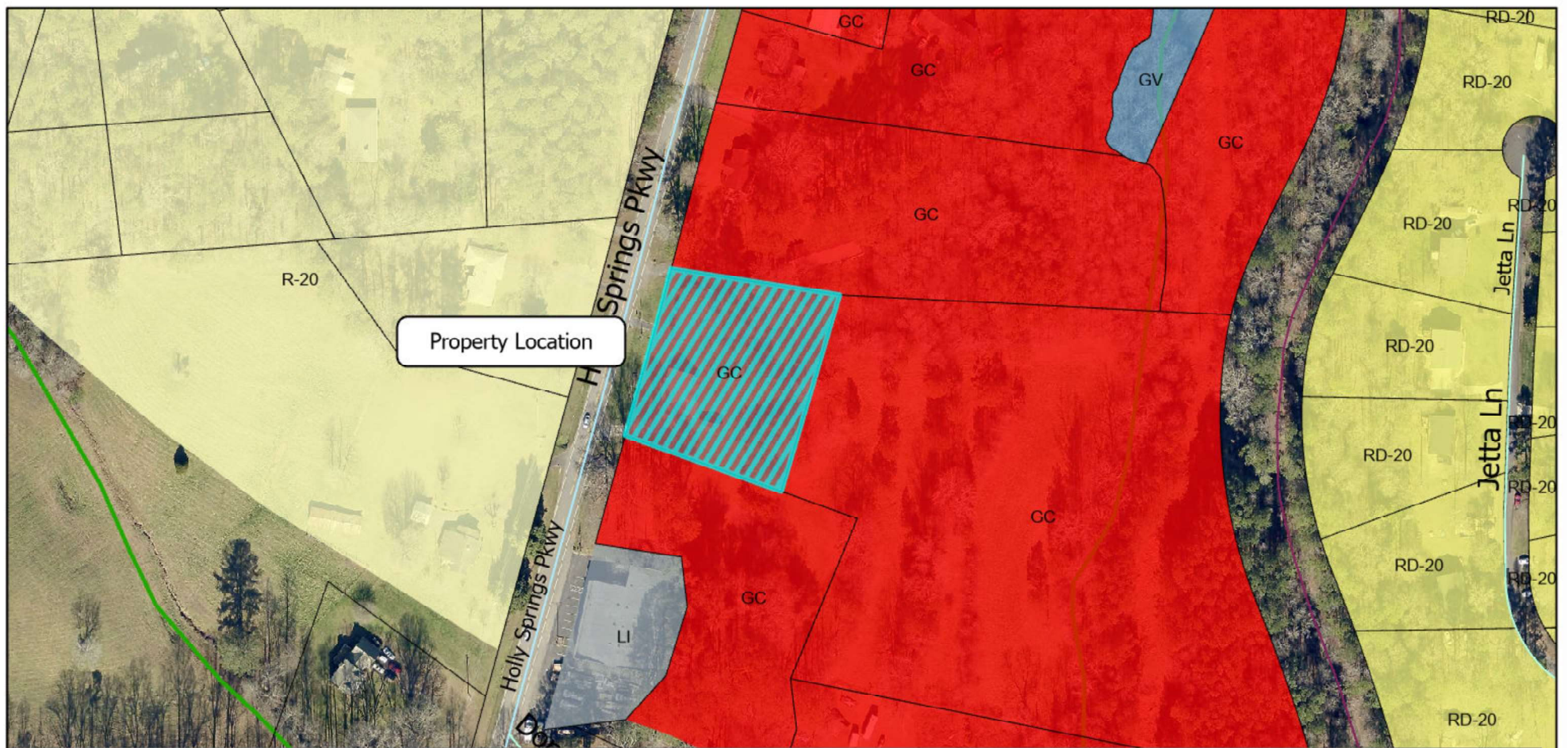
- a. Gasoline Service Stations and Convenience Stores shall exist on at least one (1) acre of land. *The applicant has requested a variance from this requirement as the property is only 0.934 acres.*
- b. All gasoline pumps must be completely covered by canopies which shall be at least ten (10) feet from any property line, shall be architecturally integrated with the main structure and shall not extend over the right-of-way or landscaping buffers.
- c. Fuel pump islands shall be designed to minimize traffic conflicts. Gasoline pumps shall be at least twenty (20) feet from any property line.
- d. Gasoline Service Stations shall include a Convenience Store; however, Convenience Stores are not required to include Gasoline Service Stations.
- e. Gasoline Service Stations that include auto service as an accessory use must comply with Section 5.4-7 of this Article.

D. Public Information Meeting

The applicant conducted a public information meeting on November 21, 2024. Area residents voiced concerns about an existing encroachment onto a neighboring property, ground water contamination, air quality, and location. In addition, the residents were concerned about the lack of a marketing/feasibility study, as well as, the traffic impact to the area and size of the property.

E. Citizen Comments

A number of comments were received from residents within the surrounding area. These residents voiced concerns such as the following: residential area, crime, noise, traffic, odor, lack of sleep (due to noise), safety, vandalism, theft, drug-related activity, lower property values, effect on the area's long-term growth potential, lighting, air pollution, and lack of need for business. A copy of the comments are included within the packet.



CUP-04-2024 Location Map

Parcels_2024

ZONING

- AG- Agricultural
- R-80- Estate Residential
- R-40- Single Family Residential Estate
- R-20- Single Family Residential

- RD-20- Single Family and Duplex
- RD-3- Single Family Residential
- PUD- Planned Unit Development
- TND- Traditional Neighborhood Development

- PDR- Planned Development Residential
- HDMFR- High Density Multi-Family Residential
- GC- General Commercial
- NC- Neighborhood Commercial
- OI- Office Institutional

- GV-Governmental
- LI- Light Industrial
- MXD-Mixed Use Overlay
- Railroad
- Streets_10172024



GENERAL NOTES:
 1: This Plot has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plot.
 2: This plot is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
 3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
 4: No Geodetic monuments were found within 300 feet of this site.
 5: This Plot has been prepared for the exclusive use of the person(s) or entities named hereon.

THIS BOX RESERVED FOR THE CLERK OF THE SUPERIOR COURT

CITY OF HOLLY SPRINGS
 ZONING: GC
 MINIMUM FRONT SETBACK - 50' ARTERIAL,
 50' COLLECTOR & LOCAL STREET
 MINIMUM SIDE SETBACK - 10'
 MINIMUM REAR SETBACK - 15'

FIELD DATA:
 DATE OF FIELD SURVEY 10-22-24.

THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.00 FEET.

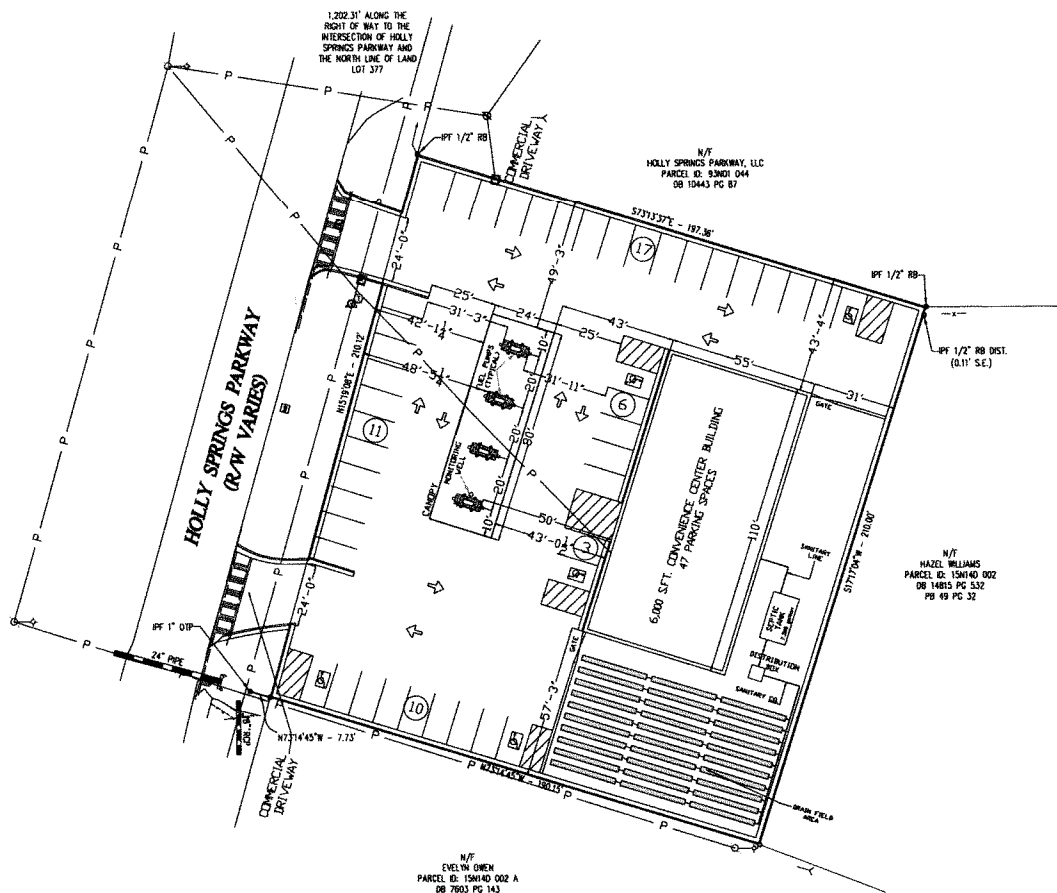
EQUIPMENT:
 ELECTRONIC TOTAL STATION AND RTK GPS
 GPS RECEIVER: TRIMBLE R12L
 SR: 634010044 ROYER
 634010044 BASE
 NETWORK: TRIMBLE VRS NOW RTK CHSS

TOTAL AREA: 40,693 SQ FT, 0.934 AC
 CALCULATED PLAT CLOSURE: 1 FOOT IN 203,822 FEET

SURVEY DATA:
 TYPE OF SURVEY: RETRACEMENT
 SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY: DB 2592 PG 91
 PROPERTY OWNER AT TIME OF SURVEY: DONNIS L. DOUGHTY
 PARCEL NUMBER: 15N14D 001

REFERENCE: DB 2592 PG 91
 DB 10443 PG 87
 PB 49 PG 32

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DETERMINED BY FIRM MAP OF CHEROKEE COUNTY, GEORGIA 1305700242E EFFECTIVE DATE JUNE 7, 2019



LEGEND	
BSL	BUILDING SETBACK LINE
DE	DRAINAGE EASEMENT (STORM)
SE	SANITARY SEWER EASEMENT
EOP	EDGE OF PAVEMENT (CURB)
R/W	RIGHT OF WAY
S/W	SIDEWALK
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
FTE	FINISHED FLOOR ELEVATION
PAD	PAD ELEVATION
GFE	GARAGE FLOOR ELEVATION
ML	GARAGE WEATHER UP ELEV.
MFE	MIN. FINISHED FLOOR ELEVATION
PO	POWER POLE
IR	IRON REBAR SET
IF	IRON PIN FOUND
B	BOLLARD
OP	OVERHEAD POWER
FH	FIRE HYDRANT
WM	WATER METER
WV	WATER VALVE
GV	GAS VALVE
GM	GAS METER
LP	LIGHT POLE
CP	CONCRETE PAD
TM	TELEPHONE MARKER
ACU	AIR CONDITIONER UNIT
MB	MAIL BOX
CO	CLEAN OUT
SSM	SANITARY SEWER MANHOLE
LBCB	LEFT WING CATCH BASIN
RBCB	RIGHT WING CATCH BASIN
DBC	DOUBLE WING CATCH BASIN
DB	DROP BUILT
H	HEADWALL
SS	SANITARY SEWER LINE

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

SCALE: 1"=30'		GRAPHIC SCALE - IN FEET		CLIENT: JALAL ROY											
DESIGNED BY: JTF	SHEET NUMBER: 1 of 1	FILE NAME: 3114 HOLLY SPRINGS.IN	DATE: 10-30-24	JOB NUMBER: SURV-2590											
BOUNDARY SURVEY FOR 3114 HOLLY SPRINGS PARKWAY LAND LOT 417, 15TH DISTRICT, 2ND SECTION CITY OF HOLLY SPRINGS, CHEROKEE COUNTY, GEORGIA															
REVISIONS <table border="1"> <tr><td>1</td><td></td></tr> <tr><td>2</td><td></td></tr> <tr><td>3</td><td></td></tr> <tr><td>4</td><td></td></tr> <tr><td>5</td><td></td></tr> </table>						1		2		3		4		5	
1															
2															
3															
4															
5															
Copyright © 2024 These drawings and their reproductions are the property of the surveyor and may not be reproduced, published, or used in any way without the written permission of this surveyor.  KEYSTONE LAND SURVEYING, INC. 262 WEST CROGAN STREET LAWRENCEVILLE, GEORGIA 30046 770.545.8700 www.keystonelandsurveying.com			10-30-24  FOR KEYSTONE LAND SURVEYING, INC. www.keystonelandsurveying.com												

ORIGINAL



MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA- _____ APPLICATION CUP- 04-2024
HEARING DATE _____ DATE OF APPLICATION _____
APPLICANT Tejas Patel OWNER Chasity Priscilla Doughty and Holly Alexis
(If other than applicant)
Doughty Parcel as Co-Executors of the Estate of Dennis Lamar Doughty
ADDRESS c/o H. Michael Bray, Esq. ADDRESS _____
PO Box 1649, Canton, Ga
ZIP CODE 30169 PHONE 770-479-1426 ZIP CODE _____ PHONE _____
EMAIL mbray@brayandjohnson.com EMAIL _____
SIGNATURE Tejas Patel SIGNATURE _____

APPLICANT OR REPRESENTATIVE MUST ATTEND MEETING OR APPLICATION WILL NOT BE CONSIDERED

PRESENT ZONING DISTRICT(S) GC REQUESTED ZONING DISTRICT GC
REQUESTED CONDITIONAL USE(S) Convenience store with gas pumps
PROPERTY LOCATION/ADDRESS 3114 Holly Springs Pkwy
MAP NUMBER 15N14D PARCEL NUMBER(S) 001
LAND LOT(S) 417 DISTRICT(S) 15th SECTION(S) 2nd
ACREAGE 0.934 Acres +/- SEWAGE DISPOSAL TYPE Septic UTILITIES AVAILABLE yes

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:

The conditional use request is to allow a convenience store with gas pumps to be constructed on the property. Applicant also requests a variance to Article 5.4-18(a) as the property is 0.934 acres and the ordinance requires one acre.

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application:

- ☒ WARRANTY DEED
- ☒ TAX DOCUMENTATION
- ☒ SURVEY PLAT BY REGISTERED SURVEYOR
- ☒ 1 LARGE COPY (22" x 34") OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR
- ☒ 1 PDF COPY OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR
- ☒ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ☒ ATTACHMENT B (CONDITIONAL USE PERMIT REQUESTS ONLY)
- ☒ WATER/SEWER AVAILABILITY LETTER FROM CCWSA (CHEROKEE COUNTY WATER AND SEWERAGE AUTHORITY)

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION:

APPROVED _____ STIPULATIONS _____

DISAPPROVED _____

CITY COUNCIL DECISION:

APPROVED _____ STIPULATIONS _____

DISAPPROVED _____

FILING FEES _____ RECEIPT# _____ CHECK# _____

MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA- _____ APPLICATION CUP- 04-20-21

HEARING DATE _____ DATE OF APPLICATION _____

APPLICANT Tejas Patel OWNER Chasity Priscilla Doughty and Holly Alexis

(If other than applicant)
Doughty is Co-Executor of the Estate of Dennis Lamar Doughty

ADDRESS c/o H. Michael Bray, Esq.
PO Box 1649, Canton, Ga

ADDRESS Address for Holly
210 Towne Overlook Dr.
Canton, GA 30114

ZIP CODE 30169 PHONE 770-479-1426 ZIP CODE _____ PHONE _____

EMAIL mbray@brayandjohnson.com EMAIL _____

SIGNATURE _____ SIGNATURE Holly Alexis Doughty

APPLICANT OR REPRESENTATIVE MUST ATTEND MEETING OR APPLICATION WILL NOT BE CONSIDERED

PRESENT ZONING DISTRICT(S) GC REQUESTED ZONING DISTRICT GC

REQUESTED CONDITIONAL USE(S) Convenience store with gas pumps

PROPERTY LOCATION/ADDRESS 3114 Holly Springs Pkwy

MAP NUMBER 15N14D PARCEL NUMBER(S) 001

LAND LOT(S) 417 DISTRICT(S) 15th SECTION(S) 2nd

ACREAGE ~~xxx~~ 0.934 +/- SEWAGE DISPOSAL TYPE Septic UTILITIES AVAILABLE yes

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST

The conditional use request is to allow a convenience store with gas pumps to be constructed on the property. Applicant also requests a variance to Article 5.4-18(a) as the property is 0.934 acres and the ordinance requires one acre.

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application

- ☒ WARRANTY DEED
- ☒ TAX DOCUMENTATION
- ☒ SURVEY PLAT BY REGISTERED SURVEYOR
- ☒ 1 LARGE COPY (22" x 34") OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR
- ☒ PDF COPY OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR
- ☒ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ☒ ATTACHMENT B (CONDITIONAL USE PERMIT REQUESTS ONLY)
- ☒ WATER/SEWER AVAILABILITY LETTER FROM CCWSA (CHEROKEE COUNTY WATER AND SEWERAGE AUTHORITY)

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ STIPULATIONS _____

DISAPPROVED _____

CITY COUNCIL DECISION

APPROVED _____ STIPULATIONS _____

DISAPPROVED _____

FILING FEES _____ RECEIPT# _____ CHECK# _____

MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA- _____ APPLICATION CUP- 04-2024
HEARING DATE _____ DATE OF APPLICATION _____
APPLICANT Tejas Patel OWNER Chasity Priscilla Doughty and Holly Alexis
(If other than applicant)
Doughty Parcel as Co-Executors of the Estate of Dennis Lamar Doughty
ADDRESS c/o H. Michael Bray, Esq. ADDRESS 1476 Possum Hollow Rd Se
PO Box 1649, Canton, Ga Ranger, GA 30734
ZIP CODE 30169 PHONE 770-479-1426 ZIP CODE _____ PHONE _____
EMAIL mtray@brayandjohnson.com EMAIL _____
SIGNATURE _____ SIGNATURE Chasity Priscilla Doughty

APPLICANT OR REPRESENTATIVE MUST ATTEND MEETING OR APPLICATION WILL NOT BE CONSIDERED

PRESENT ZONING DISTRICT(S) GC REQUESTED ZONING DISTRICT GC
REQUESTED CONDITIONAL USE(S) Convenience store with gas pumps
PROPERTY LOCATION/ADDRESS 3114 Holly Springs Pkwy
MAP NUMBER 15N14D PARCEL NUMBER(S) 001
LAND LOT(S) 417 DISTRICT(S) 15th SECTION(S) 2nd
ACREAGE 0.934 +/- SEWAGE DISPOSAL TYPE Septic UTILITIES AVAILABLE yes

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:

The conditional use request is to allow a convenience store with gas pumps to be constructed on the property. Applicant also requests a variance to Article 5.4-18(a) as the property is 0.934 acres and the ordinance requires one acre.

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application.

- ☒ WARRANTY DEED
- ☒ TAX DOCUMENTATION
- ☒ SURVEY PLAT BY REGISTERED SURVEYOR
- ☒ 1 LARGE COPY (22" x 34") OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR
- ☒ 1 PDF COPY OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR
- ☒ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ☒ ATTACHMENT B (CONDITIONAL USE PERMIT REQUESTS ONLY)
- ☒ WATER/SEWER AVAILABILITY LETTER FROM CCWSA (CHEROKEE COUNTY WATER AND SEWERAGE AUTHORITY)

(APPLICANT DO NOT WRITE BELOW THIS LINE)

<u>PLANNING COMMISSION RECOMMENDATION</u>	<u>CITY COUNCIL DECISION</u>
APPROVED _____ STIPULATIONS _____	APPROVED _____ STIPULATIONS _____
DISAPPROVED _____	DISAPPROVED _____

FILING FEES _____ RECEIPT# _____ CHECK# _____

Application Information

Please print or type answers, using additional paper or a separate sheet of paper, if necessary.

(1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property? The property is already a GC zoning classification as are the surrounding properties. Applicant is requesting a conditional use permit in compliance with Zoning Ordinance 5.2-8(d) to allow for a convenience store with gas pumps (gas station) to be constructed on the property which is an allowed conditional use for GC zoning classification.

Adjacent and nearby properties are in a "transitional" area likely to become commercial, office institutional or higher density residential

(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property? Applicant's request is for a conditional use within the current GC zoning classification and will not adversely affect the existing use or usability of adjacent or nearby properties as there are in the same GC zoning classification. The proposed use will likely have a positive effect on adjacent or nearby property for future commercial use.

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned? The property has been vacant for a significant time. I believe my request will change the vacant property to a viable economical use. Applicant believes the proposed use is the highest and best use.

(4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, public safety, or schools? The request for conditional use will not cause excessive or burdensome use of the existing streets as it will not create any additional traffic that does not already exist in this area. The request for conditional use will not affect transportation facilities, utilities, public safety or schools.

(5) Whether the zoning proposal is in conformity with the policy and intent of the adopted Future Development Map (FDM)?

The Future development map for the subject property shows it in the Parkway Corridor which intends to provide primarily a commercial service function. The conditional use conforms to the policy and intent of the Future Land Use Map.

Holly Springs Parkway is a divided highway and the north bound traffic needs a store with available gas. The south bound lane has one almost ready

(6) Whether the zoning proposal is in conformity with the policies, objectives, and vision set forth by the Community Agenda (Comprehensive Plan) and other adopted policy documents?

Yes, we believe the conditional use is in conformity with the policies, objectives and vision of the Comprehensive Plan.

(7) Whether an impact is expected on the environment, including, but not limited to, drainage, soil erosion, and sedimentation, flooding, air quality, and water quality and quantity?
No there will not be any impacts on the environment ie. drainage, soil erosion, sediment, flooding, air quality, water quality and quantity
The development of the facility will meet all State, County and City codes for all concerns in paragraph 7.

(8) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal? The Parkway Corridor's predominant function is commercial and one of the primary future land use for Parkway Corridor is retail and service. Article 5.2-8(d) list gas stations as a conditional use under the GC zoning classification.

Complete the following section, if applicable.

Residential

Minimum house size: _____ sq. ft.

Exterior façade: _____

Maximum number of units: _____

Anticipated start date: _____

Anticipated completion date: _____

Commercial

Number of buildings: 1

Maximum square footage: 6800 sq. ft.

Number of stories: 1

Total number of employees: 5 or 6

Exterior façade: Brick or Stone in compliance with Article 19.8-7

Anticipated start date: January or February 2025

Anticipated completion date: December 2025

Must be completed by applicant, all owners, and any other person wishing to speak at the public hearing, i.e., engineer, surveyor, etc...

ATTACHMENT A

DISCLOSURE

Please answer the following questions.

A.) Are you, or anyone else with a property interest in the property, a member of the City of Holly Springs Planning and Zoning Commission or City of Holly Springs Council?

_____ YES X _____ NO

B.) Does an official of such public bodies have any financial interest in any business entity, which has a property interest in the subject property?

_____ YES X _____ NO

C.) Does a member of the family of such official have an interest in the subject property as described in (A) and (B)?

_____ YES X _____ NO

D.) Within two (2) years immediately preceding this application, have you made campaign contributions aggregating \$250.00 or more?

_____ YES X _____ NO

If yes, in accordance with O.C.G.A. 36-67A-3, you are required to provide the following information at least five calendar days prior to the Public Hearing:

Public Official's Name: _____

Official Position: _____

Dollar Amount of Contribution: _____

Description of Contribution: _____

Date of Contribution: _____

If you have made more than one campaign contribution, please add an additional sheet which lists the above details of **each** campaign contribution.

10/30/2024
DATE

Tejas Patel
NAME PRINTED

Patel
SIGNATURE

Must be completed by applicant, all owners, and any other person wishing to speak at the public hearing, i.e., engineer, surveyor, etc...

ATTACHMENT A

DISCLOSURE

Please answer the following questions.

A.) Are you, or anyone else with a property interest in the property, a member of the City of Holly Springs Planning and Zoning Commission or City of Holly Springs Council?

_____ YES X _____ NO

B.) Does an official of such public bodies have any financial interest in any business entity, which has a property interest in the subject property?

_____ YES X _____ NO

C.) Does a member of the family of such official have an interest in the subject property as described in (A) and (B)?

_____ YES X _____ NO

D.) Within two (2) years immediately preceding this application, have you made campaign contributions aggregating \$250.00 or more?

_____ YES X _____ NO

If yes, in accordance with O.C.G.A. 36-67A-3, you are required to provide the following information at least five calendar days prior to the Public Hearing:

Public Official's Name: _____

Official Position: _____

Dollar Amount of Contribution: _____

Description of Contribution: _____

Date of Contribution: _____

If you have made more than one campaign contribution, please add an additional sheet which lists the above details of **each** campaign contribution.

10/29/24
DATE

Holly Alexis Doughty
NAME PRINTED

Holly Alexis Doughty
SIGNATURE

Must be completed by applicant, all owners, and any other person wishing to speak at the public hearing, i.e., engineer, surveyor, etc...

ATTACHMENT A

DISCLOSURE

Please answer the following questions.

A.) Are you, or anyone else with a property interest in the property, a member of the City of Holly Springs Planning and Zoning Commission or City of Holly Springs Council?

_____ YES X NO

B.) Does an official of such public bodies have any financial interest in any business entity, which has a property interest in the subject property?

_____ YES X NO

C.) Does a member of the family of such official have an interest in the subject property as described in (A) and (B)?

_____ YES X NO

D.) Within two (2) years immediately preceding this application, have you made campaign contributions aggregating \$250.00 or more?

_____ YES X NO

If yes, in accordance with O.C.G.A. 36-67A-3, you are required to provide the following information at least five calendar days prior to the Public Hearing:

Public Official's Name: _____

Official Position: _____

Dollar Amount of Contribution: _____

Description of Contribution: _____

Date of Contribution: _____

If you have made more than one campaign contribution, please add an additional sheet which lists the above details of **each** campaign contribution.

10/29/24
DATE

Chasity Priscilla Doughty
NAME PRINTED

Chasity Doughty
SIGNATURE

Must be completed by applicant, all owners, and any other person wishing to speak at the public hearing, i.e., engineer, surveyor, etc...

ATTACHMENT A

DISCLOSURE

Please answer the following questions.

A.) Are you, or anyone else with a property interest in the property, a member of the City of Holly Springs Planning and Zoning Commission or City of Holly Springs Council?

_____ YES _____ ☒ NO

B.) Does an official of such public bodies have any financial interest in any business entity, which has a property interest in the subject property?

_____ YES _____ ☒ NO

C.) Does a member of the family of such official have an interest in the subject property as described in (A) and (B)?

_____ YES _____ ☒ NO

D.) Within two (2) years immediately preceding this application, have you made campaign contributions aggregating \$250.00 or more?

_____ YES _____ ☒ NO

If yes, in accordance with O.C.G.A. 36-67A-3, you are required to provide the following information at least five calendar days prior to the Public Hearing:

Public Official's Name: _____

Official Position: _____

Dollar Amount of Contribution: _____

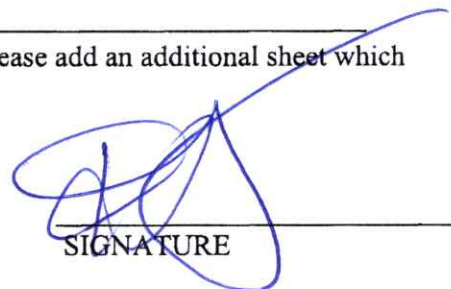
Description of Contribution: _____

Date of Contribution: _____

If you have made more than one campaign contribution, please add an additional sheet which lists the above details of **each** campaign contribution.

10/31/2024
DATE

H. Michael Bray
NAME PRINTED


SIGNATURE

ATTACHMENT B

For Conditional Use Permit Requests, please answer the following questions on a separate sheet of paper.

1. Please verify that the proposed use complies with all of the additional stipulations by use, if any, as set forth by Section 5.4, Article 5. SEE ATTACHED RESPONSE
2. State the proposed business name, brand, flag, and/or franchise. SEE ATTACHED RESPONSE
3. Explain in detail what services the proposed conditional use business will provide. SEE ATTACHED RESPONSE
4. Has a business plan or model been completed for this proposed conditional use business? SEE ATTACHED RESPONSE
5. Why was this specific location chosen for this proposed establishment? SEE ATTACHED RESPONSE
6. What is the projected date that the proposed conditional use business will open? SEE ATTACHED RESPONSE
7. How many employees are expected to work at the proposed conditional use business? SEE ATTACHED RESPONSE
8. What are the expected hours of operation for the proposed conditional use business? SEE ATTACHED RESPONSE
9. What licensing requirements, if any, are mandated by the state for this business to operate? Do the proprietors of this business already possess these credentials? SEE ATTACHED RESPONSE
10. Does the proposed conditional use business conform with the nearby uses already in existence? SEE ATTACHED RESPONSE
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available? SEE ATTACHED RESPONSE
12. Will the proposed conditional use business create a nuisance or disturbance to nearby or adjacent properties? SEE ATTACHED RESPONSE
13. Is the proposed conditional use business a service that is similar or will overlap a nearby establishment already in existence? SEE ATTACHED RESPONSE
14. Will the services provided by the proposed conditional use business complement and correspondent well with the intended character of the respective zoning district area? SEE ATTACHED RESPONSE
15. Will the business have adequate facilities and parking to accommodate the proposed use? SEE ATTACHED RESPONSE
16. If in the Neighborhood Commercial District (NC), could nearby neighborhood residents and local pedestrians be expected to frequent this proposed business establishment without the use of an automobile? SEE ATTACHED RESPONSE

ATTACHMENT B

For Conditional Use Permit Requests, please answer the following questions on a separate sheet of paper.

1. Please verify that the proposed use complies with all of the additional stipulations by use, if any, as set forth by Section 5.4, Article 5.
The proposed use complies with the additional stipulations except for the property is 0.934 acres instead of 1.00 acres.
2. State the proposed business name, brand, flag, and/or franchise. **The brand will be Shell or Chevron gas products and the store will be independently owned and operated. The applicant does not plan to have any flag and it will not be a franchise business operation.**
3. Explain in detail what services the proposed conditional use business will provide. **The services provided will be the sale of gasoline and diesel fuel, limited automotive supplies such as motor oil, antifreeze, blue DEF, and such similar products. The store will also provide a limited quantity of food and drink products, including but not limited to, chips, candy, packaged snacks, cookies, soft drinks, milk, water, beer and wine, and will have tobacco sales. Those normal products for somebody that wants to pick up a few things which will be convenient to the nearby homes, other businesses and commuters.**
4. Has a business plan or model been completed for this proposed conditional use business? **I have a background in operation of convenience stores. I have multiple business friends who have knowledge and experience in owning and operating a convenience store and I can use such experience and knowledge.**
5. Why was this specific location chosen for this proposed establishment? **This location was selected because Holly Springs Parkway will develop into a median highway. On the North bound lanes there is not an available convenient store or gas outlet. On the South bound lane there is one and one is needed on the North bound lane. We believe this site is ideal for the construction of a convenience store and will contribute to the success of the development of other commercial property in this area.**
6. What is the projected date that the proposed conditional use business will open? **I project that the proposed business will open in approximately December 2025.**

7. How many employees are expected to work at the proposed conditional use business? **We anticipate that it will take up to 5 or 6 employees to operate and maintain the convenience store.**
8. What are the expected hours of operation for the proposed conditional use business? **6:00 a.m. until 10:30 p.m. is our anticipated hours of operation.**
9. What licensing requirements, if any, are mandated by the state for this business to operate? Do the proprietors of this business already possess these credentials? **The license requirements anticipated will be for beer and wine. I have the proper credentials to obtain a beer and wine license.**
10. Does the proposed conditional use business conform with the nearby uses already in existence? **The proposed use is in an area that is in transition from old residential uses to commercial uses. There are no nearby uses except older residential uses in this area; however the properties are zoned general commercial. The rebuilding of Holly Springs Parkway and the transformation of this area to commercial area supports the proposed use as a convenience store with gas pumps.**
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available? **We do not have a feasibility study but based on the investigation made I believe this is a ideal site for a convenience store with gas products. I have given this project careful consideration.**
12. Will the proposed conditional use business create a nuisance or disturbance to nearby or adjacent properties? **We do not believe that the convenience store operation on this site will cause any nuisance or disturbance to any nearby or adjacent properties.**
13. Is the proposed conditional use business a service that is similar or will overlap a nearby establishment already in existence? **The conditional use is not readily similar to any nearby establishments already in existence. As previously indicated this area is in transition as it is intended to be a commercial use operation or business. We believe that a convenience store will fit in the uses that will eventually develop along Holly Springs Parkway.**

14. Will the services provided by the proposed conditional use business complement and correspondent well with the intended character of the respective zoning district area? **We think the services provided will complement what is intended for this area because it is already zoned General Commercial. General Commercial permits a Convenience store with gas pumps based upon a conditional use permit. We contend that this will compliment the businesses that will eventually develop along Holly Springs Parkway and our business will act as a catalyst for other commercial uses to be established along the road.**
15. Will the business have adequate facilities and parking to accommodate the proposed use? **We fully believe that the business will have adequate facilities and parking to accommodate the proposed use as a convenience store. I have a construction firm that prepared the concept plan filed with this application. I know that final plans must comply with parking requirements.**
16. If in the Neighborhood Commercial District (NC), could nearby neighborhood residents and local pedestrians be expected to frequent this proposed business establishment without the use of an automobile? **Not applicable.**

THIS BOX RESERVED FOR
THE CLERK OF THE SUPERIOR COURT

CITY OF HOLLY SPRINGS
ZONING: GC
MINIMUM FRONT SETBACK - 60' ARTERIAL,
50' COLLECTOR & LOCAL STREET
MINIMUM SIDE SETBACK - 10'
MINIMUM REAR SETBACK - 15'

FIELD DATA:
DATE OF FIELD SURVEY 10-22-24.

THE CALCULATED POSITIONAL
TOLERANCE BASED ON REDUNDANT
LINEAR MEASUREMENTS OF
OBSERVED POSITIONS WAS FOUND
TO BE 0.00 FEET.

EQUIPMENT:
ELECTRONIC TOTAL STATION AND RTK GPS
GPS RECEIVER: TRIMBLE R12i,
SN: 6340F00404 ROVER
6340F00685 BASE
NETWORK: TRIMBLE VRS NOW RTK GNSS

TOTAL AREA: 40,693 SQ FT, 0.934 AC

CALCULATED PLAT CLOSURE: 1 FOOT IN 203,822 FEET

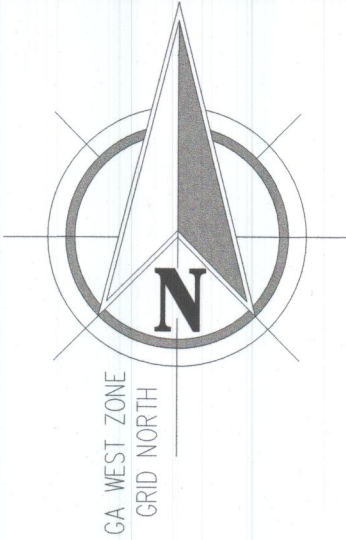
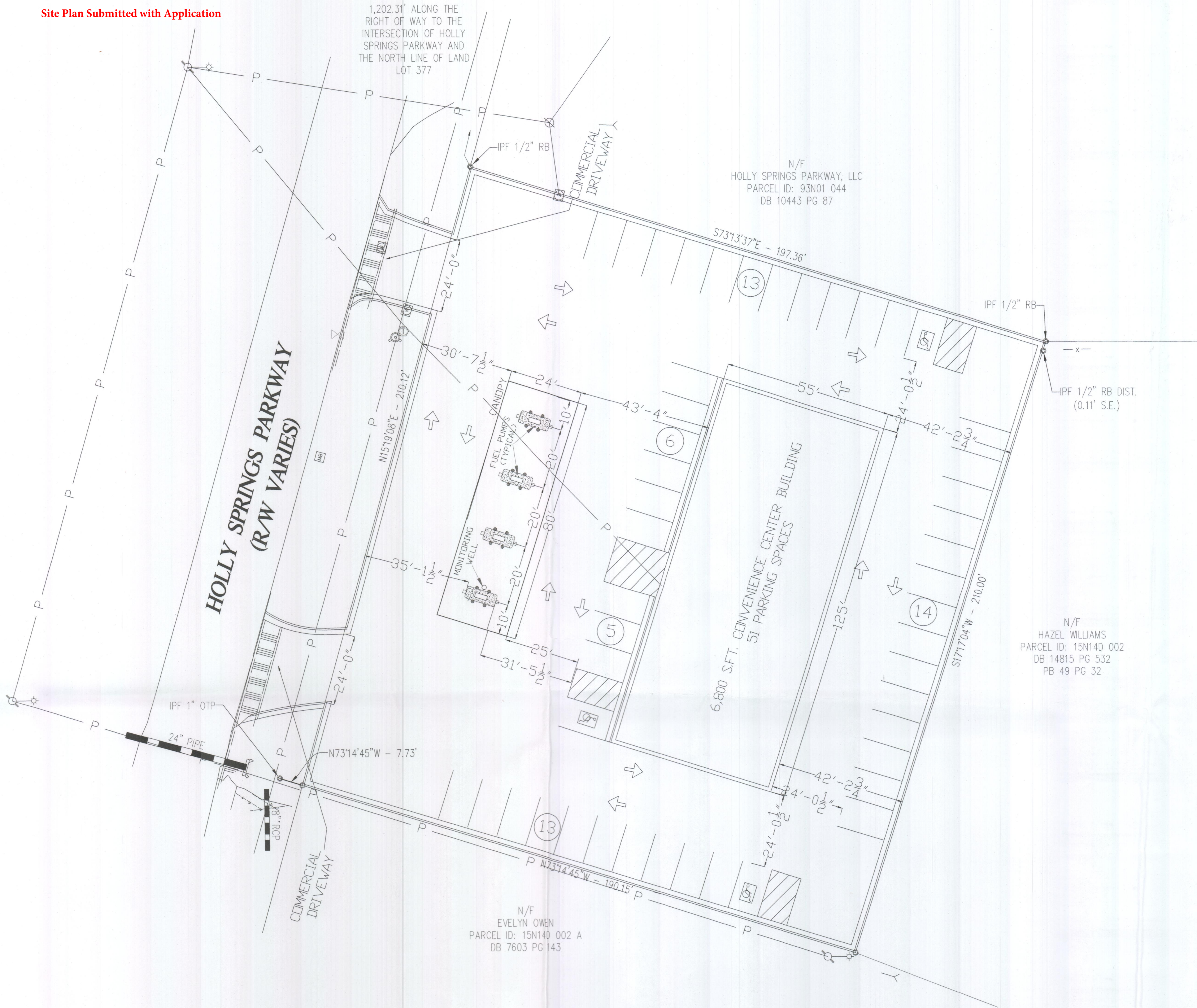
SURVEY DATA:
TYPE OF SURVEY: RETRACEMENT
SOURCE OF TITLE DESCRIPTION FOR SUBJECT
PROPERTY: DB 2592 PG 91
PROPERTY OWNER AT TIME OF SURVEY:
DENNIS L. DOUGHTY
PARCEL NUMBER: 15N14D 001

REFERENCE: DB 2592 PG 91
DB 10443 PG 87
PB 49 PG 32

FLOOD HAZARD NOTE: THIS PROPERTY IS
NOT LOCATED IN A FLOOD HAZARD AREA
AS DEFINED BY FIRM MAP OF CHEROKEE
COUNTY, GEORGIA 13057C0242E EFFECTIVE
DATE JUNE 7, 2019

GENERAL NOTES:
1: This Plat has been prepared
without the benefit of a current
title report. Easements or
encumbrances may exist that are
not shown on this plat.
2: This plat is subject to any
restrictions, easements, covenants
or restrictions that may exist
either written or unwritten.
3: Underground utilities not shown
hereon may exist. The Surveyor
does not take responsibility for
absence or presence of any such
utilities.
4: No Geodetic monuments were
found within 500 feet of this site.
5: This Plat has been prepared for
the exclusive use of the person(s)
or entities named hereon.

Site Plan Submitted with Application



LEGEND	
BSL	BUILDING SETBACK LINE
DE	DRAINAGE EASEMENT (STORM)
SSE	SANITARY SEWER EASEMENT
EOP	EDGE OF PAVEMENT (CURB)
R/W	RIGHT OF WAY
S/W	SIDEWALK
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
FFE	FINISHED FLOOR ELEVATION
PAD	PAD ELEVATION
GFE	GARAGE FLOOR ELEVATION
WL	GARAGE WEATHER LIP ELEV.
MFFE	MIN. FINISHED FLOOR ELEVATION
Ø	POWER POLE
⊙	1/2" IRON REBAR SET
⊙	IRON PIN FOUND
○	BOLLARD
—v—	OVERHEAD POWER
⊕	FIRE HYDRANT
⊕	WATER METER
⊕	WATER VALVE
⊕	GAS VALVE
⊕	GAS METER
☆	LIGHT POLE
⊕	CONCRETE PAD
⊕	TELEPHONE MARKER
⊕	AIR CONDITIONER UNIT
⊕	MAIL BOX
⊕	CLEAN OUT
⊕	SANITARY SEWER MANHOLE
⊕	LEFT WING CATCH BASIN
⊕	RIGHT WING CATCH BASIN
⊕	DOUBLE WING CATCH BASIN
⊕	DROP INLET
⊕	HEADWALL

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLAT, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

SCALE: 1"=30'		GRAPHIC SCALE -- IN FEET		CLIENT: JALAL ROY	
DESIGNED BY: JTF		SHEET NUMBER: 1 of 1		FILE NAME: 3114 HOLLY SPRINGS_LN	
DATE: 10-30-24		JOB NUMBER: SURV-2590			
Copyright-2024 These drawings and their reproductions are the property of the surveyor and may not be reproduced, published, or used in any way without the written permission of this surveyor.					
BOUNDARY SURVEY FOR					
3114 HOLLY SPRINGS PARKWAY LAND LOT 417, 15TH DISTRICT, 2ND SECTION CITY OF HOLLY SPRINGS, CHEROKEE COUNTY, GEORGIA					
REVISIONS					
1					
2					
3					
4					
5					

KEYSTONE LAND SURVEYING, INC.

262 WEST CROGAN STREET
LAWRENCEVILLE, GEORGIA 30046
770.545.8700
www.keystonelandsurveying.com

10-30-24

FOR
KEYSTONE LAND SURVEYING, INC.
www.keystonelandsurveying.com

Cherokee County Water & Sewerage Authority

October 30, 2024

RE: Water & Sewerage Availability (Tax Map 15N14D, Parcel 001)

To Whom It May Concern:

Please be advised that Cherokee County Water & Sewerage Authority presently has a 6" DIP water main on the East side of Holly Springs Parkway West of the subject property.

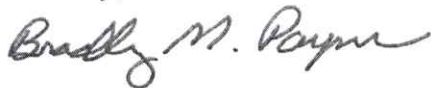
Sewer is available to the East of the subject property. The acquisitions of easements to manholes or lift stations will be the responsibility of the developer.

The capacity for Rose Creek Wastewater Treatment Facility is 6.0 MGD and the Authority is presently treating 3.5 MGD. The Fitzgerald Creek Treatment Facility is 11.5 MGD and the Authority is presently treating 5.0 MGD.

There is presently no moratorium for water or sewer connections on the Authority System. Sewer connections are available on first pay, first serve basis. However, plans for any development must be submitted and approved by the Authority prior to any water or sewer connection application being accepted for processing. Also, existing infrastructure, size and location, must be verified by developer/engineer/contractor prior to submittal to Cherokee County Water and Sewerage Authority.

If you have any questions, please don't hesitate to call me.

Sincerely,



Bradley M. Payne
Construction Office Supervisor

CC: Garry Hensley
Jody Henson
Keith Allen
Jeff Hooper

P. O. Box 5000 ~ Canton, Georgia 30114 ~ 770-479-1813

Bray & Johnson
Attorneys at Law
P. O. Box 1649
Canton, Georgia 30169

H. Michael Bray
Roger M. Johnson
(1942-2020)

—
Jennifer S. Gill
Derek S. Poarch
Marjorie M. Musgrave

Street Address:
Ten North Street
Canton, Georgia 30114

Telephone 770-479-1426
Facsimile 770-479-6488

November 26, 2024

VIA: HAND DELIVERY

City of Holly Springs Zoning Department
ATTN: Nancy Moon
3237 Holly Springs Parkway
Canton, Georgia 30114

RE: Affidavit and Summaries from Neighborhood Information Meeting
Conditional Use Permit with Request for Variance
Applicant: Tejas Patel
Parcel No.: 15N14D 001
Property Address: 3114 Holly Springs Pkwy.

Dear Ms. Moon:

Attached hereto are the following documents pursuant to Ordinance 14.5-9 (8)(a)(b)(c)(d)(e).

- (a) Affidavit from Applicant's representative certifying the neighborhood information meeting was conducted;
- (b) A copy of the Notice sent to the applicable property owners with the certificate of mailing for notices sent;
- (c) The sign in sheet from the neighborhood information meeting;
- (d) Summary of information presented at the neighborhood information meeting;
- (e) Summary of issues stated by the attendees.

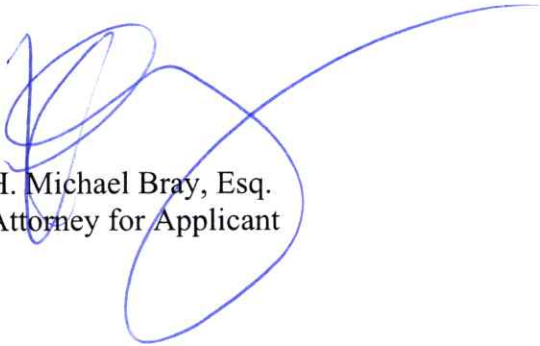
The Public comment sheets were given to the attendees, but none were returned to me. I instructed the attendees the comment sheets could be turn in to the City of Holly Springs if they did not want to turn them in that night.

Page Two
November 26, 2024

Also included with this letter is a "revised" site plan for the project. *Also on USB Drive*

If you have any questions, please do not hesitate to call.

Sincerely,



H. Michael Bray, Esq.
Attorney for Applicant

AFFIDAVIT OF H. MICHAEL BRAY, REPRESENTATIVE FOR
APPLICANT, TEJAS PATEL ON
CONDITIONAL USE PERMIT APPLICATION CUP-04-2024

Before me, the undersigned officer duly authorized to administer oaths, appeared H. Michael Bray, who, after being by me first duly sworn, deposes and states as follows:

1.

The Neighborhood Public Information Meeting was conducted on November 21, 2024 at the Woodstock Recreation Center, 7545 Main Street, Woodstock, Georgia 30189. The meeting began at 6:30 p.m. and concluded at 7:40 p.m.

2.

A copy of the Notice sent to the applicable property owners and the list of applicable property owners are filed simultaneously with this affidavit. The applicable property owners and list was provided by The City of Holly Springs Community Development.

3.

A list of the attendees with contact information (if provided by the attendee) is being submitted simultaneously with this affidavit.

4.

A summary of the information presented is being submitted simultaneously with this affidavit.

5.

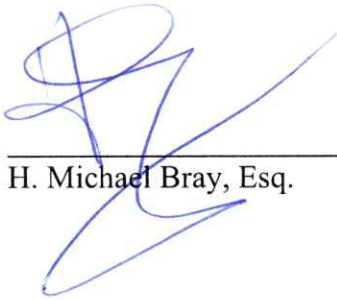
A Summary of issues stated by the attendees is being submitted simultaneously with this affidavit.

6.

Public Comment sheets were provided to the attendees with instructions that the public comment sheets be submitted to the City of Holy Springs upon completion of the meeting. No

one returned the comments sheets. A representative from the City of Holly Springs announced to the attendees that he would take the comment sheets and submit them.

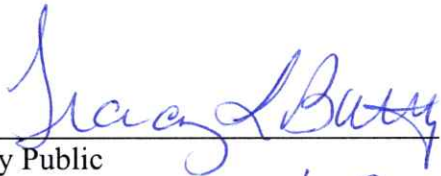
This 26 day of November, 2024.



H. Michael Bray, Esq.

Sworn to and subscribed before me

This 26 day of November, 2024.



Notary Public

My Commission Expires: 6-19-2027



SUMMARY OF INFORMATION PRESENTED AT NEIGHBORHOOD INFORMATION MEETING

Re: Tejas Patel Conditional Use Permit Application CUP-04-2024

A neighborhood information meeting was held on November 21, 2024 at the Woodstock Recreation Center, 7545 Main Street, Woodstock, GA 30189 which began at 6:30 p.m. and concluded at 7:40 p.m.

I introduced myself, H. Michael Bray, attorney for applicant (Tejas Patel), and introduced Mr. Tejas Patel. I presented a board containing the following information: Contact Information for Applicant, a description of the request (Conditional Use Permit), Information on how to contact the City of Holy Springs, a copy of applicant's plan submitted with the application, the zoning map provided by the City of Holy Springs showing the current zoning classification of the subject property and surrounding properties, a copy of the Parkway Corridor information from the Comprehensive plan, and a table on the Parkway Corridor showing the zoning classifications allowed, and its intent.

I explained the City of Holy Springs required the applicant, Mr. Patel, to hold a Public Input Meeting to inform the surrounding neighbors about the project and hear their concerns. I explained Mr. Patel is in the process of purchasing the property that was the subject matter of the meeting and Mr. Patel's intent is to put a convenience store with gas pumps on the location.

I explained to the attendees the property is currently zoned General Commercial (GC) as well as the surrounding properties displayed on the map.

A large percentage of the neighbors appeared unaware their properties were zoned GC. This information caused much conversation which took up quite a bit of the meeting.

I discussed the details of Mr. Patel's plan for the property and opened the floor to questions.

I responded to each question in the best manner possible.

Respectfully submitted this 26 day of November, 2024.



H. Michael Bray, Esq.
Attorney for Applicant, Tejas Patel

SUMMARY OF ISSUES STATED AT NEIGHBORHOOD INFORMATION MEETING

Re: Tejas Patel Conditional Use Permit Application CUP-04-2024

Attendees at the meeting were interested in what brand of gas that would be sold at the convenience store, it appears that it could be Shell or Chevron, a specific decision has not been made at this time.

There was some discussion regarding the possibilities of apartments and high residential density area, but the subject property is zoned for commercial uses. Other properties in the vicinity are zoned specifically for higher density.

The attendees were informed the applicant has not completed a marketing study or feasibility study, and he is relying on his experience, the location of the subject property and the amount of traffic anticipated along Holly Springs Parkway.

The issue of the size of the parcel was discussed and the applicant submitted he was asking for a variance to the 1-acre requirement.

Neighbors were telling the applicant it does appear that there is a slight encroachment on a neighbor's property by virtue of the improvements on the subject property. It was reported that this would be addressed with the final survey and that nothing on the property was to remain but will be taken down for the improvements.

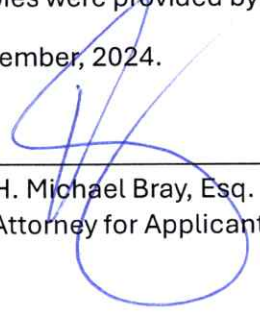
Neighbors were indicating and concerned about ground water, Air quality and potential contamination. In response to this concern, it was submitted that the environmental laws and ordinances, and engineering is required to construct a convenience store specifically addresses the concerns about contaminants.

There was some discussion indicating that attendees present were not in favor of the property being used as a convenience store. Comments were made "find a different location for the proposed project", and that the area is being used as residential although it might be in fact zoned General Commercial (GC). One member of the Holly Springs Planning Commission present may have mentioned that if there is going to be development make it a smart development.

In conclusion, it did appear the attendees were not in favor of the convenience store. Applicant, through counsel, tried to inform the attendees that any structure built on the property has to be in compliance with the storm water retention ordinances, environmental protection ordinance and laws, and permission from the environmental health department that a septic system could be located on the property. The applicant also informed attendees that exterior would comply with the Holly Springs ordinance.

At the request of a couple of attendees, I offered to email the poster to anyone who wanted it. Two people provided their email addresses and copies were provided by email the next day.

Respectfully submitted this 26 day of November, 2024.



H. Michael Bray, Esq.
Attorney for Applicant, Tejas Patel

NEIGHBORHOOD
INFORMATION
MEETING
NOTICE, CERTIFICATES
OF MAILING, SIGN IN
SHEET, AFFIDAVIT,
SUMMARIES and
REVISED SITE PLAN

Applicant: Tejas Patel
Request for Conditional Use Permit: **04-2024**

GENERAL NOTES:
 1: This Plot has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plot.
 2: This plot is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
 3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
 4: No Geodetic monuments were found within 300 feet of this site.
 5: This Plot has been prepared for the exclusive use of the person(s) or entities named hereon.

THIS BOX RESERVED FOR THE CLERK OF THE SUPERIOR COURT

CITY OF HOLLY SPRINGS
 ZONING: GC
 MINIMUM FRONT SETBACK - 60' ARTERIAL
 50' COLLECTOR & LOCAL STREET
 MINIMUM SIDE SETBACK - 10'
 MINIMUM REAR SETBACK - 15'

FIELD DATA:
 DATE OF FIELD SURVEY 10-22-24

THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.00 FEET.

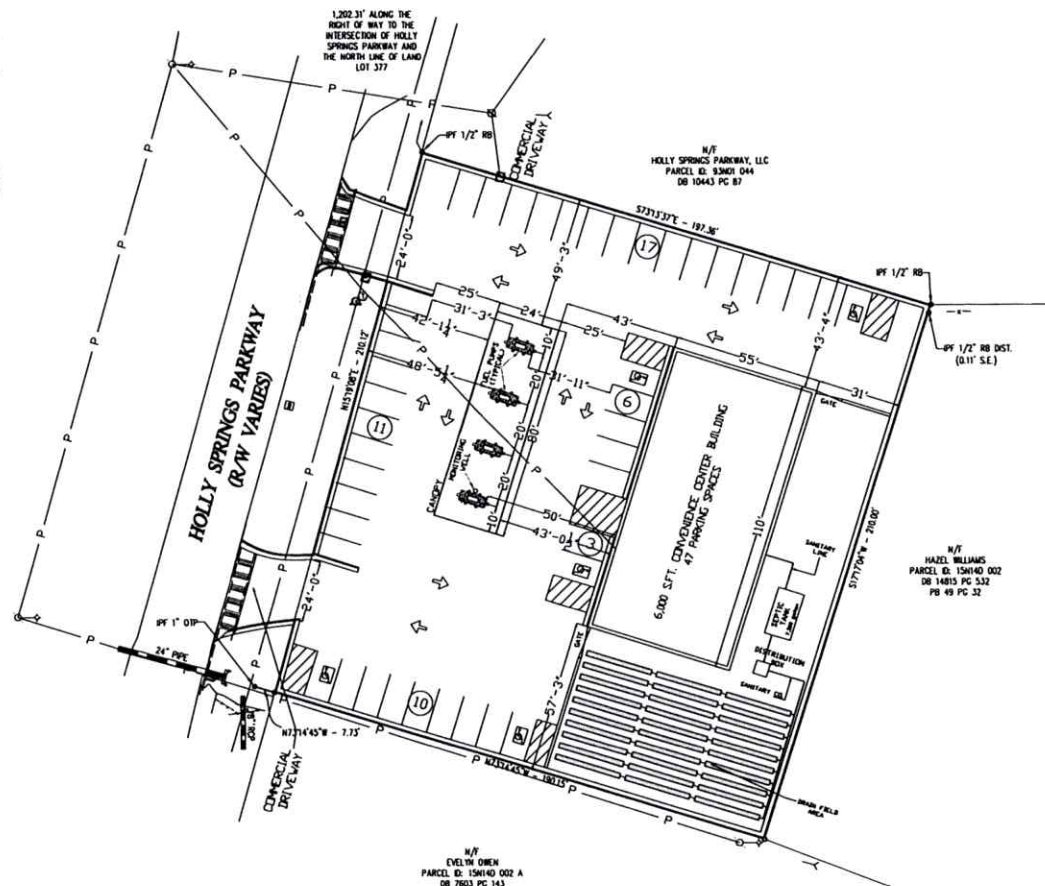
EQUIPMENT:
 ELECTRONIC TOTAL STATION AND RTK GPS
 GPS RECEIVER: TRIMBLE R12L
 SH: 634070404 ROVER
 634070085 BASE
 NETWORK: TRIMBLE VRS HOW RTK GNSS

TOTAL AREA: 40,693 SQ FT, 0.934 AC
 CALCULATED PLAT CLOSURE: 1 FOOT IN 203,822 FEET
 SURVEY DATA:

TYPE OF SURVEY: RETRACEMENT
 SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY: DB 2592 PG 91
 PROPERTY OWNER AT TIME OF SURVEY: DENNIS L DOUGHTY
 PARCEL NUMBER: 15K140 001

REFERENCE: DB 2592 PG 91
 DB 10443 PG 87
 PB 49 PG 32

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY FIRM MAP OF CHEROKEE COUNTY, GEORGIA 130570042E EFFECTIVE DATE JUNE 7, 2019



LEGEND	
BOL	BUILDING SETBACK LINE
DE	DRAINAGE EASEMENT (STORM)
SSE	SANITARY SEWER EASEMENT
EOP	EDGE OF PAVEMENT (CURB)
R/W	RIGHT OF WAY
S/W	SIDEWALK
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
FTE	FINISHED FLOOR ELEVATION
PAD	PAD ELEVATION
GFE	GARAGE FLOOR ELEVATION
WL	GARAGE WEATHER LIP ELEV.
MFTE	MIN. FINISHED FLOOR ELEVATION
IP	POWER POLE
IF	IRON REBAR SET
IFP	IRON PIN FOUND
BO	BOLLARD
OP	OVERHEAD POWER
FW	FIRE HYDRANT
WM	WATER METER
WV	WATER VALVE
GV	GAS VALVE
GM	GAS METER
LO	LIGHT POLE
CP	CONCRETE PAD
TM	TELEPHONE MARKER
ACU	AIR CONDITIONER UNIT
MB	MAIL BOX
CO	CLEAN OUT
SM	SANITARY SEWER MANHOLE
LB	LEFT WING CATCH BASIN
RB	RIGHT WING CATCH BASIN
DB	DOUBLE WING CATCH BASIN
DI	DROP INLET
H	HEADWALL
SS	SANITARY SEWER LINE

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLAT, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN G.C.G.A. SECTION 15-6-67.

SCALE: 1"=30'		GRAPHIC SCALE - IN FEET		CLIENT: JALAL ROY											
DESIGNED BY: JTF	SHEET NUMBER: 1 of 1	FILE NAME: 3114 HOLLY SPRINGS_LIN	DATE: 10-30-24	JOB NUMBER: SURV-2590											
Copyright © 2024 These drawings and their reproductions are the property of the surveyor and may not be reproduced, published, or used in any way without the written permission of the surveyor. BOUNDARY SURVEY FOR 3114 HOLLY SPRINGS PARKWAY LAND LOT 417, 15TH DISTRICT, 2ND SECTION CITY OF HOLLY SPRINGS, CHEROKEE COUNTY, GEORGIA REVISIONS <table border="1"> <tr><td>1</td><td></td></tr> <tr><td>2</td><td></td></tr> <tr><td>3</td><td></td></tr> <tr><td>4</td><td></td></tr> <tr><td>5</td><td></td></tr> </table>						1		2		3		4		5	
1															
2															
3															
4															
5															
KEYSTONE LAND SURVEYING, INC. 262 WEST CROGAN STREET LAWRENCEVILLE, GEORGIA 30046 770.545.8700 www.keystonelandsurveying.com			10-30-24 FOR KEYSTONE LAND SURVEYING, INC. www.keystonelandsurveying.com												

Bray & Johnson

Attorneys at Law

P. O. Box 1649

Canton, Georgia 30169

H. Michael Bray
Roger M. Johnson
(1942-2020)

Jennifer S. Gill
Marjorie M. Musgrave

Street Address:
Ten North Street
Canton, Georgia 30114

Telephone 770-479-1426
Facsimile 770-479-6488

October 4, 2024

RE: Applicant: Tejas Patel
 Contact Information: H. Michael Bray
 Bray & Johnson Attorneys
 P.O. Box 1649
 Canton, GA 30169
 770-479-1426
 mbray@brayandjohnson.com

Dear Neighbor,

You are receiving this letter because your property lies within 1,000 feet of 3114 Holly Springs Pkwy. Applicant will be requesting a Conditional Use Permit to allow for a convenience store with gas pumps and a variance to Article 5.4-18(a) as the property is 0.934 acres and the ordinance requires 1.00 acres. As a part of the application process, The City of Holly Springs requires any person requesting a conditional use permit to host a public information meeting. The purpose of this meeting is to ensure early and effective communication with nearby property owners and interested citizens, giving you the opportunity to review the proposed request and try to mitigate any impacts such proposal may have on the community.

Date of Meeting: November 21, 2024
Time of Meeting: 6:30pm – 7:00pm
Location of Meeting: Woodstock Recreation Center
 7545 Main Street
 Woodstock, Georgia 30189

You are invited to come to this meeting to share your thoughts and concerns and to gain additional information about the proposed project. Should you have any questions, please contact me at 770-479-1426.

Sincerely,



H. Michael Bray
Attorney for Applicant

COMMUNITY INFORMATION AND INPUT MEETING SIGN-IN SHEET

DATE: 11/21/24 TIME: 6:30 pm LOCATION: Woodstock Recreation Center PROJECT NAME: Tejas Patel - Application for CUP

NAME	ADDRESS	GROUP/ORGANIZATION (if applicable)
Kenna Henney	908 Chatter Drive	daughters of June Henrick
June C. Henrick	3470 Holly Springs Pkwy	←
Dez Williams	209 Persimmon Dr ^{Holly Springs, GA}	
Gary McWhite	3446 Holly Springs Pkwy	
Kim Roper	3169 Holly Springs Pkwy	
Nancy K. Martin	3262 Holly Spgs Pkwy	
Roseanne Warchola	299 Maple Ln Holly Springs	
BRANDON WILLIAMS	405 FURNACE WAY	

COMMUNITY INFORMATION AND INPUT MEETING SIGN-IN SHEET

DATE: 11/21/24 TIME: 6:30 pm LOCATION: Woodstock Recreation Center PROJECT NAME: Tejas Patel - Application for CUP

NAME	ADDRESS	GROUP/ORGANIZATION (if applicable)
Russell Martin	180 Killian Street Canton GA 30114	
Brian Owen	129 Donna Way Canton, GA 30114	
Jon Page	357 Sequoyah Circle	
Tejas Patel		
Lynna Martin	129 Donna Way Canton, GA 30114	
Evelyn Owen	129 Donna Way Canton, GA 30114	
Juanita Burrell	3009 Holly Springs Pkwy Canton, Georgia 30115	
Thomas Cox	3009 Holly Springs Pkwy Canton GA 30115	

COMMUNITY INFORMATION AND INPUT MEETING SIGN-IN SHEET

DATE: 11/21/24 TIME: 6:30 pm LOCATION: Woodstock Recreation Center PROJECT NAME: Tejas Patel - Application for CUP

NAME	ADDRESS	GROUP/ORGANIZATION (if applicable)
Jane Dreyer	138 Hasty Tr. 30115	BHHS
Brittany Niehoff	757 Bridgeview Dr. 30115	Realtor
Holly Doughty	210 Towne Overlook dr 30114	



Name and Address of Sender	Check type of mail or service ☐ Adult Signature Required ☐ Adult Signature Restricted Delivery ☐ Certified Mail ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery (COD) ☐ Insured Mail ☐ Priority Mail ☐ Priority Mail Express ☐ Registered Mail ☐ Return Receipt for Merchandise ☐ Signature Confirmation ☐ Signature Confirmation Restricted Delivery	Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.													
USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due, Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
1. H. Michael Bray P. O. Box 1649 Canton, GA 30169	BOBO ENTERPRISES, LLC. 2542 REINHARDT COLLEGE PKWY. CANTON, GA 30115														
2. H. Michael Bray P. O. Box 1649 Canton, GA 30169	ROPER BEVERLY ANN TRUSTEE PO BOX 1258 HOLLY SPRINGS, GA 30142														
3. H. Michael Bray P. O. Box 1649 Canton, GA 30169	DOUGHTY DENNIS L 3114 HOLLY SPRINGS PARKWAY CANTON, GA 30114														
4. H. Michael Bray P. O. Box 1649 Canton, GA 30169	BALLARD JACK SR 134 KIMBERLY ROAD CANTON, GA 30115														
5. H. Michael Bray P. O. Box 1649 Canton, GA 30169	VEITH JOHN P 239 MORNING MIST WY WOODSTOCK, GA 30189														
6. H. Michael Bray P. O. Box 1649 Canton, GA 30169	MINAL RUPALY 370 HILLGROVE DR CANTON, GA 30114														
7. H. Michael Bray P. O. Box 1649 Canton, GA 30169	SHEARER JAMES & 130 KIMBERLY ROAD CANTON, GA 30115														
8. H. Michael Bray P. O. Box 1649 Canton, GA 30169	UNDERWOOD FRED J III & 135 KIMBERLY ROAD CANTON, GA 30115														
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee) <i>[Signature]</i>													

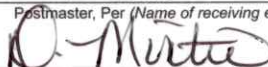


0000

U.S. POSTAGE PAID
CANTON, GA
30114
NOV 04, 24
AMOUNT
\$20.80
S2324H500104-11

Handling Charge - if Registered a

Adult Signature
Adult Signature Res/
Restricted D
Return Re
Signature Con
Signature Confirmation
Special H

Name and Address of Sender		Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☐ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Priority Mail		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.													
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
1. H. Michael Bray P. O. Box 1649 Canton, GA 30169		HOLLY SPRINGS PARKWAY LLC P O BOX 1258 HOLLY SPRINGS, GA 30142				Handling Charge - if Registered and over \$50,000 in value											
2. H. Michael Bray P. O. Box 1649 Canton, GA 30169		DONNA WAY LLC P O BOX 1258 HOLLY SPRINGS, GA 30142															
3. H. Michael Bray P. O. Box 1649 Canton, GA 30169		PAUL STEPHEN T 209 JETTA LN HOLLY SPRINGS, GA 30115															
4. H. Michael Bray P. O. Box 1649 Canton, GA 30169		MCWHIRTER GARRY L 3446 HOLLY SPRINGS PARKWAY CANTON, GA 30115															
5. H. Michael Bray P. O. Box 1649 Canton, GA 30169		CITY OF HOLLY SPRINGS P O BOX 990 HOLLY SPRINGS, GA 30142															
6. H. Michael Bray P. O. Box 1649 Canton, GA 30169		BURRELL JUANITA 3009 HOLLY SPRINGS PKWY CANTON, GA 30115															
7. H. Michael Bray P. O. Box 1649 Canton, GA 30169		WILLIAMS HAZEL 118 CRESTMONT DRIVE CANTON, GA 30114															
8. H. Michael Bray P. O. Box 1649 Canton, GA 30169		OWEN EVELYN R 123 DONNA WAY CANTON, GA 30115															
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of receiving employee) 													



Name and Address of Sender		Check type of mail or service		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.											
		☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☐ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Signature Confirmation Restricted Delivery ☐ Priority Mail													
USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
1.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	SIZEMORE JOYCE C P O BOX 928 HOLLY SPRINGS, GA 30142		Handling Charge - if Registered and over \$50,000 in value											
2.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	MARTIN NANCY K 3262 HOLLY SPRINGS PARKWAY CANTON, GA 30115													
3.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	BROWNE-SHEARER SHERI T 130 KIMBERLY ROAD CANTON, GA 30115													
4.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	VACCARO-LEE DANA C 123 KIMBERLY ROAD CANTON, GA 30115													
5.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	FLESHMAN RICHARD LYNN JR 311 JETTA LANE CANTON, GA 30114													
6.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	HOLLY SPRINGS PARKWAY LLC P O BOX 1258 HOLLY SPRINGS, GA 30142													
7.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	HORIZON CLINICAL LLC 1170 PEACHTREE STE 2400 ATLANTA, GA 30309													
8.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	SUMPTER WILLIAM RYAN & 103 CHILDERS RD CANTON, GA 30114													
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster, Pst (Name of receiving employee) <i>D. Minter</i>											



Name and Address of Sender		Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☐ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Priority Mail		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.													
USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee			
1.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	PRANCE WILLIAM L SR P O BOX 1261 MILTON, GA 30169		Handling Charge - if Registered and over \$50,000 in value													
2.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	SHEARER JAMES & 130 KIMBERLY ROAD CANTON, GA 30115															
3.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	MILLER WILLIAM T & 333 JETTA LANE CANTON, GA 30115															
4.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	HUTLO LLC 3448 HOLLY SPRINGS PKWY CANTON, GA 30115															
5.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	MCWHIRTER GARRY L 3446 HOLLY SPRINGS PKWY CANTON, GA 30115															
6.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	LITTLE LILIA W PO BOX 52 EPWORTH, GA 30541															
7.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	OWEN EVELYN R 123 DONNA WAY CANTON, GA 30115															
8.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	KILGORE KYLE B & 321 JETTA LANE CANTON, GA 30115															
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster Per (Name of receiving employee) <i>D. Minter</i>															





Name and Address of Sender	Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☐ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Priority Mail	Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.												
USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1. H. Michael Bray P. O. Box 1649 Canton, GA 30169	ELLIOTT DONALD E 3522 HOLLY SPRINGS PW CANTON, GA 30115													
2. H. Michael Bray P. O. Box 1649 Canton, GA 30169	HAMRICK JUNE & 3470 HOLLY SPRINGS PKWY CANTON, GA 30115													
3. H. Michael Bray P. O. Box 1649 Canton, GA 30169	G & G AT RACEWAY DR LLC 1420 KING ST STE 411 ALEXANDRIA, VA 22314													
4. H. Michael Bray P. O. Box 1649 Canton, GA 30169	WAKTINS KELLY 105 CHILDERS RD CANTON, GA 30114													
5. H. Michael Bray P. O. Box 1649 Canton, GA 30169	MINAL RUPALY R 370 HILLGROVE DR CANTON, GA 30114													
6. H. Michael Bray P. O. Box 1649 Canton, GA 30169	LITTLE LILIA W PO BOX 52 EPWORTH, GA 30541													
7. H. Michael Bray P. O. Box 1649 Canton, GA 30169	BROWNE-SHEARER SHERI T 130 KIMBERLY ROAD CANTON, GA 30115													
8. H. Michael Bray P. O. Box 1649 Canton, GA 30169	HOLLY SPRINGS PARKWAY LLC P O BOX 1258 HOLLY SPRINGS, GA 30142													
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee) 												



0000

U.S. POSTAGE PAID
CANTON, GA
30114
NOV 04 24
AMOUNT
\$24.70
\$2324H500104-11

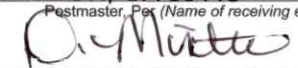
Handling Charge - if Registered and

Adult Signature Required
Adult Signature Restricted
Restricted Delivery
Return Receipt
Signature Confirmation
Signature Confirmation Restricted
Special Handling

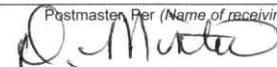
Name and Address of Sender		Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☐ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Priority Mail		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.														
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee		
1. H. Michael Bray P. O. Box 1649 Canton, GA 30169		REECE DENNIS L P O BOX 11 WOODSTOCK, GA 30188				Handling Charge - if Registered and over \$50,000 in value												
2. H. Michael Bray P. O. Box 1649 Canton, GA 30169		2018-4 IH BORROWER LP 1717 MAIN STREET STE 2000 DALLAS, TX 75201																
3. H. Michael Bray P. O. Box 1649 Canton, GA 30169		ARNOLD DIETER 2100 OCEAN DR. JACKSONVILLE, FL 32250																
4. H. Michael Bray P. O. Box 1649 Canton, GA 30169		JENNINGS RYAN 126 KIMBERLY RD. CANTON, GA 30115																
5. H. Michael Bray P. O. Box 1649 Canton, GA 30169		BURRIS REBECCA L. 100 JACEE CIRCLE CANTON, GA 30115																
6. H. Michael Bray P. O. Box 1649 Canton, GA 30169		RODGERS TRAVIS 109A MAPLE LANE CANTON, GA 30114																
7. H. Michael Bray P. O. Box 1649 Canton, GA 30169		WARCHOLA ROSEANNE 299 MAPLE LANE CANTON, GA 30114																
8. H. Michael Bray P. O. Box 1649 Canton, GA 30169		BARNES BENNY A. 160 BARNES LANE CANTON, GA 30115																
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of receiving employee) 														

Name and Address of Sender		Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☐ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Signature Confirmation Restricted Delivery ☐ Priority Mail		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.												
USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee		
1.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	SLATTON WILLIAM C., JR. 111 CHILDERS ROAD CANTON, GA. 30115		Handling Charge - if Registered and over \$50,000 in value												
2.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	ERNSTES JOSEPH L. 800 PALM STREET CANTON, GA. 30115														
3.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	SHEARER JAMES 130 KIMBERLY ROAD CANTON, GA. 30115														
4.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	THE BEDFORD FALLS GROUP, LLC. JP, LLC. 869 HUBE TURNER DRIVE CANTON, GA 30115														
5.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	WARCHOLA ROSANNE 299 MAPLE LANE CANTON, GA 30114														
6.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	BROWN THOMAS 110 CHILDERS ROAD CANTON, GA. 30115														
7.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	EZELL JOHN F., JR. 124 KIMBERLY ROAD CANTON, GA 30115														
8.	H. Michael Bray P. O. Box 1649 Canton, GA 30169	WHITE MICHAEL 3134 HOLLY SPRINGS PKWY. CANTON, GA 30115														
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, For (Name of receiving employee) 														



Name and Address of Sender		Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☐ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Priority Mail		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.														
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee		
1.		H. Michael Bray P. O. Box 1649 Canton, GA 30169		ALLRED TIFFANY		Handling Charge - if Registered and over \$50,000 in value												
		104 JACEE CR.																
		CANTON, GA 30115																
2.		H. Michael Bray P. O. Box 1649 Canton, GA 30169		MOORE MARK E.														
		PO BOX 4128																
		CANTON, GA 30115																
3.		H. Michael Bray P. O. Box 1649 Canton, GA 30169		BENTLEY MARK H.														
		10 HIDDEN VIEW LANE																
		CANTON, GA 30115																
4.		H. Michael Bray P. O. Box 1649 Canton, GA 30169		ELLIOTT DONALD E.														
		3522 HOLY SPRINGS PKWY.																
		CANTON, GA 30115																
5.		H. Michael Bray P. O. Box 1649 Canton, GA 30169		MOHAR TONY DAVID														
		262 JETTA LANE																
		CANTON, GA 30115																
6.		H. Michael Bray P. O. Box 1649 Canton, GA 30169		LEE CAMERON														
		332 JETTA LANE																
		CANTON, GA 30115																
7.		H. Michael Bray P. O. Box 1649 Canton, GA 30169		TRUE ERIC L.														
		280 JETTA LANE																
		CANTON, GA. 30115																
8.		H. Michael Bray P. O. Box 1649 Canton, GA 30169		CABLE JOSHUA W.														
		234 JETTA LANE																
		CANTON, GA 30115																
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of receiving employee) 														



Name and Address of Sender		Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☐ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Priority Mail		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.													
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due to Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
1. H. Michael Bray P. O. Box 1649 Canton, GA 30169		DAY DOYLE KENNETH, JR. PO BOX 95 HOLLY SPRINGS, GA 30115				Handling Charge - if Registered and over \$50,000 in value											
2. H. Michael Bray P. O. Box 1649 Canton, GA 30169		BOBO ENTERPRISES, LLC. 2542 REINHARDT COLLEGE PKWY. CANTON, GA 30115															
3. H. Michael Bray P. O. Box 1649 Canton, GA 30169		BARNES BA 160 BARNES LANE CANTON, GA 30115															
4. H. Michael Bray P. O. Box 1649 Canton, GA 30169		FLESHMAN RICHARD LYNN, JR. 311 JETTA LANE CANTON, GA 30115															
5. H. Michael Bray P. O. Box 1649 Canton, GA 30169		Little Lila W. PO Box 52 Epworth, GA 30541															
6. H. Michael Bray P. O. Box 1649 Canton, GA 30169		G & G LLC 1420 King Street, Suite 411 Alexandria, VA 22314															
7.																	
8.																	
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster Per (Name of receiving employee) 													



City of Holly Springs

PUBLIC COMMENT SHEET

Name: Juanita Burrell

DATE: November 26, 2024

Address: 3009 Holly Springs Pkwy, Canton, GA 30115

Telephone Number: [REDACTED]

Email Address: _____

I live on Holly Springs Parkway directly across the road from the property at 3114 Holly Springs Parkway. I oppose a convenience store with gas pumps to be built on this property. It is not appropriate for a store to be built in the middle of a residential area which is a very quiet and good neighborhood.

These convenience stores can bring crime and robbery.

Noise all day with cars driving in and out.

An odor, smell or scent from gas fumes.

Bright lights shining after dark.

Unable to sleep at night ~~or~~ (a good night sleep.)

Would bring more cars on this road and traffic is very heavy now.

Please think about stores of this type. They should be built near businesses... Not in a residential area.

Please use other side if additional space is needed

11/21/24 - Tejas Patel - Application for Conditional Use Permit

City of Holly Springs

PUBLIC COMMENT SHEET

Thomas Cox

11/26/24

3009 Holly Springs Pkwy, Canton GA 30115

Dear Members of the City Planning Commission,

I am writing to oppose the proposal for a convenience store with gas pumps at 3114 Holly Springs Parkway due to significant concerns over public safety, property values, and long-term development.

This project poses a safety risk to current neighboring residents. Convenience stores and gas stations attract crime, including theft, vandalism, and drug-related activity, especially during late hours. The high volume of cash transactions, minimal security, and constant foot traffic make these businesses magnets for criminal behavior, which will create an unsafe environment for residents. This could also damage this section of Holly Springs Parkway's reputation before any other future development, ultimately driving down market potential.

Additionally, the construction of this gas station and convenience store will likely instantly lower surrounding property values. Studies show that properties near such businesses suffer from noise, air pollution, and safety concerns. Moreover, this development would restrict the area's long-term growth potential. Gas stations are difficult to repurpose for higher-value uses, and adding yet another convenience store in the short stretch between Walmart and Home Depot will stifle investment opportunities for more sustainable, city enhancing development.

The risks of this project—crime, property devaluation, and long-term limitations on growth—outweigh any potential benefits. I urge the City Planning Commission to reject this proposal and consider alternatives that better align with the city's goals for safe, sustainable development.

Thank you for your attention to this matter.

Sincerely,
Thomas Cox

11/21/24 – Tejas Patel – Application for Conditional Use Permit

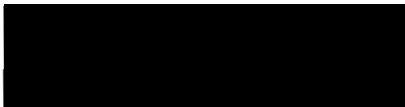
City of Holly Springs, GA

PUBLIC COMMENT SHEET

NAME: Nancy and Robert Martin

DATE: 11/25/2024

3262 Holly Springs Parkway, Canton, GA 30115



We object to the approval of the conditional use permit for the proposed property on the east side of Holly Springs Parkway to be used as a gasoline station and convenience store.

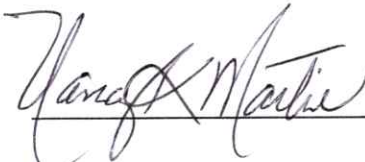
1. The property does NOT meet the minimum of 1 acre for such use. Most of the surrounding residential property owners own 2 or more acres. Many of those current property owners have owned their property for generations. We have owned our property 34+ years.
2. While the property is currently zoned General Commercial, the property has historically been used as residential.
3. All surrounding properties are currently used as residential. Best practices in planning call for “step down” transitional uses from the surrounding residential uses. It is understood that the property can and will change. However, a gas station /convenience store is truly a dramatic change from the current use and is not desired or welcomed by the current surrounding landowners.
4. In addition, we object to the use of the property as a gas station /convenience store because such use will create a nuisance intrusion to our property across the street as well as the surrounding residential properties from:
 - a. Light intrusion from the security lights that such a facility will require
 - b. Additional large tanker trucks and other large construction vehicles entering and leaving the facility creating noise and air pollution not currently present.
 - c. Underground tanks will be required to store gasoline and other noxious fluids, Also, since it is doubtful Mr. Patel will be able to get an easement through neighboring properties to connect to the public sewer system; it is likely he will need to install a

large septic tank on this property at a size that a commercial facility will need. It is not recommended that commercial facilities utilize septic tanks especially if the runoff has to be contained within less than one acre and there are surrounding residential uses.

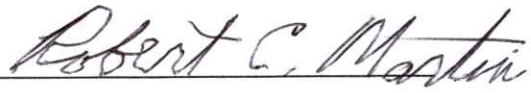
- d. Additional congestion will be created by vehicles going south to utilize such a facility in order to turn around at the few cuts in the new median to turn north to enter this proposed facility.
- e. The proposed facility will be an attractive nuisance for individuals who are likely to make illegal drug/alcohol transactions. See law enforcement records on the rate of crime at gas station/convenience stores versus residential properties.

We have no objection to Mr. Patel's proposed gas station/convenience store at a different location north or south adjacent to other current commercial use properties. An example would be next to or near the apartments, located both north and south of this area. Also, next to or near the storage units, also located both north and south of this location as well.

We sincerely hope that Mr. Patel reconsiders the location of this proposed facility and withdraws his application for a conditional use permit on this property for which it does not qualify. If not, we strongly recommend the denial of this request.



Nancy K. Martin



Robert C. Martin

City of Holly Springs

PUBLIC COMMENT SHEET

Name: GARRY McWHIRTER DATE: 11/25/24
Address: 3446 & 3276 HOLLY SPRINGS PARKWAY
Telephone Number: [REDACTED]
Email Address: _____

1. CITY ORDINANCE REQUIRES 1.00 ACRES FOR THIS TYPE OF BUSINESS. THIS PROPERTY DOES NOT MEET THIS REQUIREMENT
2. THIS PROPERTY IS COMPLETELY SURROUNDED BY RESIDENTIAL DWELLINGS FOR QUITE SOME DISTANCE. PROPOSED BUSINESS AND STRUCTURE WOULD BE IN DIRECT CONFLICT WITH SURROUNDING BUILDINGS
3. THIS BUSINESS WOULD CREATE A HUGE DISRUPTION TO OUR NEIGHBORHOOD. PROPOSED HOURS OF OPERATION WOULD BE AN ENCROACHMENT ON PEACE AND QUIETNESS FOR ALL SURROUNDING RESIDENCES
4. THERE IS NO DEMAND OR NEED FOR THIS TYPE OF BUSINESS IN THIS LOCATION. SIMILAR BUSINESSES ALREADY EXIST LESS THAN ONE MILE IN EACH DIRECTION (NORTH & SOUTH)

Please use other side if additional space is needed

From: [Hazel Williams](#)
To: [Nancy Moon](#)
Subject: Public Comment for 3114 Holly Springs Pkwy CUP and Variance Case
Date: Tuesday, December 3, 2024 5:02:53 PM
Attachments: [CUP Gas Station.docx](#)

Hello Nancy!

Please see below and attached for public comment inputs for CUP/Variance Case at 3114 Holly Springs Pkwy.

Also, can you please confirm this case is still on agenda for Planning and Zoning on Dec 12 and City Council on Jan 6th?

Thank You!

Hazel Williams



City Planners, Planning Commissioners, City Council, and Mayor,

First of all, thank you for your service to our city! We are all excited as to the future of Holly Springs!

As a resident of Holly Springs and owner of the piece of property directly next to this planned CUP, I have crafted responses to some of your CUP Criteria concerning this case. I have attached the document to this email. I believe these responses express my concerns and case against this CUP.

Additionally, and related to this case, I was informed by your city planning staff that this area (including my plat) was rezoned to GC in 2015. At the public information session with the applicant, myself and the other property owners were surprised this area was GC. When we asked your city planning staff about this over email, the response was: "This was rezoned in 2015 from an original County zoning category. All the property owners were notified by mail and it followed the normal zoning procedures." Myself nor

anyone at the meeting who are property owners ever recall receiving any notification. Are there records of this? I do know I would have been involved in the public meetings if I had known.

Again, thank you for your time and considerations. I and others do plan on attending the Planning Commission meeting as well as the City Council meeting concerning this case.

Thank You,
Hazel Williams
209 Persimmon Dr, Holly Springs, GA
Owner of Property at 3315 Holly Springs Pkwy

Evelyn Owen
123 Donna Way, Canton, GA

Beverly Roper
Owner of numerous parcels near site.
CAUTION! - This email originated outside of our organization. Use extreme caution before opening attachments or clicking on any links. Make sure you know the sender and expect to receive email from them.

2. State the proposed business name, brand, flag, and/or franchise.

At the public information meeting, the applicant did NOT have a brand or business name known yet. There was still an unknown on the tenant who would occupy the location it seemed.

4. Has a business plan or model been completed for this proposed conditional use business?

At the public information meeting, the applicant did state they had conducted a market/business study, but no information/data was presented.

5. Why was this specific location chosen for this proposed establishment?

When this question was asked to tenant at public information meeting, the answer was, "it's a good piece of land."

7. How many employees are expected to work at the proposed conditional use business?

A convenience store gas station is a minimum-employment facility which does not produce a relatively high number of jobs for local area/Holly Springs.

8. What are the expected hours of operation for the proposed conditional use business?

I believe applicant stated 7am-10pm at public information hearing, but not 100% sure. If so, an establishment of a convenience store gas station with noise and light pollution to homes and other land within 1000' (APPROXIMATELY 15-18 homes...Google Maps) and 500' (APPROXIMATELY 8 homes...Google Maps) at these hours would definitely be considered a nuisance and enjoyment of property rights to other homeowners in a currently non-commercial, residential area.

10. Does the proposed conditional use business conform with the nearby uses already in existence?

No. While currently zoned GC, and future land use character area is Parkway Corridor, nearby uses in existence are residential. Based on Google Maps, approximately 15-18 homes fall within the 1000' radius and approximately 8 homes within the 500' radius. This is including property across the street which is still zoned residential and property south which is unincorporated Cherokee County residential.

11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available?

At the public information meeting, the applicant did state they had conducted a market/business study, but no information/data was presented.

12. Will the proposed conditional use business create a nuisance or disturbance to nearby or adjacent properties?

Yes. Based on Google Maps, approximately 15-18 homes fall within the 1000' radius and approximately 8 homes within the 500' radius.

According to CEDS.org, several studies have been cited to recommend gas stations an absolute **minimum of 500' from any residential areas, preferably 1000' due to harmful effects from vapors/fumes.**

Benzene is the gasoline constituent most harmful to human health. Adverse health effects of benzene include nausea, cancer, anemia, increased susceptibility to infections, and low birth weight. According to the World Health Organization Guidelines for Indoor Air Quality there is no safe level for benzene. The following research documents the extent of benzene releases from gas stations as well as adverse health effects:

A 1993 study published by the Canadian petroleum industry found average benzene concentrations of 146 and 461 parts per billion (ppb) at the gas station property boundary in summer and winter, respectively.

A 2001 study noted median ambient benzene levels of 1.9 ppb in houses up to 328 feet from a service station.

A 2003-2004 study conducted in France documented a significant relationship between childhood leukemia and living near a gas station.

A 2010 study conducted in Spain documented elevated air pollution within 100 meters (328 feet) of a gas station.

In 2012, Brazilian researchers found that air quality was significantly degraded up to 150 meters (492 feet) from gas stations.

This is just one study cited, but a simple online search will yield similar data points.

Late night and early morning noise and light pollution with residential areas so close to this area also create a nuisance and disturbance to nearby properties.

13. Is the proposed conditional use business a service that is similar or will overlap a nearby establishment already in existence?

Yes. To the north approximately .5 miles is a gas station / convenience store. The applicant also stated that another gas station / convenience store is being built at the intersection of Rabbit Hill Rd and Holly Springs Pkwy, which if true, would be just over .5 mile to the south.

Additionally, there are two gas station / convenience stores approximately 1.5 miles to the south and an additional gas station / convenience store 1 mile to the north.

All approximate measures and counts according to Google Maps.

14. Will the services provided by the proposed conditional use business complement and correspond well with the intended character of the respective zoning district area?

No. While zoned GC, the future character area is Parkway Corridor. Primary land uses for Parkway Corridor according to the Holly Springs Comp Plan is “office, retail, services, multi-family residential.”

While it could be debated and a case made a development like this fits within the Parkway Corridor character area, the current clean and existing properties and your goals for the development of Holly Springs would counter this argument. You have essentially a clean slate between Sixes Rd area and the downtown Holly Springs area for smart city development.

From a city planning standpoint, intensity and highly specific service commercial uses such as gas stations typically decrease and step down as you move from downtown/intense areas. Being in the middle of your most intense areas of Sixes/downtown Holly Springs with a blank canvas for future development with large plats of land give you a unique opportunity to guide development. This is 100% why municipalities have CUPs...to prevent something like this going in the wrong place at the wrong time.

Allowing this development to be approved with NO other commercial nearby sets the stage for this area and severely limits what will go in around it.

I’m sure Holly Springs, like most areas are interested in affordable housing and commercial office and tenant space for neighborhood and community services. A gas station does not fit this goal in this area at this point in time. IF approved and developed as requested, any future uses of this prime plat of land would almost certainly have to be another gas station or service related function. Redevelopment of gas stations are VERY tough financially to justify due to underground tanks and layout of facility.

According to the website Housely.com, information from Zillow was quoted in terms of property value affect on nearby properties with gas stations:

“People will be driving in and out of your intersection, hanging out at the property, and buying lots of lotto tickets, cigarettes, and beer when they gas up. Although handy, these shops do nothing to help property values and hurt them significantly according to Zillow.com. Although the realtors questioned on the site did not have exact statistics, common sense would show that the increase in robberies, accidents, traffic and pedestrians would add up to decreased property value.”

Furthermore, a quick search online yields numerous articles and studies citing gas stations as one of the top developments that will drive down property values of nearby properties. This is based on fumes, odors, high traffic, noise and light pollution, and higher risk of crime nearby with convenience store.

16. If in the Neighborhood Commercial District (NC), could nearby neighborhood residents and local pedestrians be expected to frequent this proposed business establishment without the use of an automobile?

While this property is not in NC, nearby residents would likely NOT frequent this establishment due to its location and current surrounding developments / lack of walkability. A gas station/convenience store located NEAR somewhere like the downtown Holly Springs area would likely be frequented by pedestrians due to the nature and walkability of area.

Based on the answers to the criterion above from your Land Zoning Ordnnances, it CANNOT be proven that this CUP promotes the public health, safety, morals or general welfare.

We are very aware this area will get developed eventually. But my family also has roots in this area going back over 100 years. We want to see smart development in Holly Springs for our children, grandchildren, and other family and friends to enjoy. Smart development means following proven city planning guidance. Property owner rights in zoning cases comes down to what extent does one's development start to effect other property owners' rights to enjoyment. In this case, as described above, it is clear that the negative impacts to other property owners as well as the effect on city development and planning outweigh the applicants' criteria for a CUP approval.

Thank You!

Hazel Williams

Evelyn Owen

Beverly Roper

ITEM REPORT

AGENDA ITEM NUMBER: IV.D.



FROM: Nancy Moon, Community Development Director

MEETING DATE: December 12, 2024

AGENDA ITEM: ORD-9-2024, text amendment to Article 14: Amendments and Zoning Procedures of the Holly Springs Zoning Ordinance, to amend application procedures and requirements.

EXECUTIVE SUMMARY:

Per changes to the Official Code of Georgia (O.C.G.A.), Title 36 Local Government: Provisions Applicable to Counties and Municipal Corporations, Chapter 66 Zoning Procedures, [O.C.G.A. § 36-66-4](#), a text amendment to Article 14: Amendments and Zoning Procedures of the Holly Springs Zoning Ordinance, is necessary to comply with the following requirements for variances, appeals, and special exceptions:

(g) A local government delegating decision-making power to a quasi-judicial officer, board, or agency shall provide for a hearing on each proposed action described in paragraph (1.1) of Code Section 36-66-3. Notice of such hearing shall be provided at least 30 days prior to the quasi-judicial hearing, with such notice being made as provided for in subsection (a) of this Code section and with additional notice being mailed to the owner of the property that is the subject of the proposed action.

The Planning Commission conducts the hearings for these types of decisions, as well as, the zoning recommendations, both of which are set at providing notice 15 days in advance of the hearing. Staff recommends changing the notice date to 30 days for all types of applications. Since the procedures in Article 15: Variances, Appeals, and Special Exceptions, reference the procedures in Article 14, there are no changes needed in Article 15. The following sections within Article 14 are recommended to be amended:

Article 14: Amendments and Zoning Procedures

14.6: Public Notice

14.6-1 At least ~~fifteen (15)~~ **thirty (30)**, but not more than forty-five (45) days, prior to

the date of any hearing before the Planning and Zoning Commission there shall be published within a newspaper of general circulation within Cherokee County, a notice of the hearing.

14.6-4 A sign containing information required by the Zoning Ordinance of the City of Holly Springs and the rules of procedure not less than ~~fifteen (15)~~ **thirty (30)** days prior to the date of the scheduled hearing shall be placed on the property.

14.7: Notice to Adjacent Property Owners and the Applicant – The Community Development Director shall notify by regular mail all adjacent Holly Springs property owners, including properties across a public right-of-way (determined by projecting the intersecting tract boundaries of the applicant's property across the right-of-way), of the requested zoning change, as shown by county tax records available to the Planning and Zoning Commission, of the application and date, time and place of the public hearing, which shall be mailed at least ~~seven (10)~~ **fifteen (15)** days prior to the public hearing. The ~~Zoning Administrator~~ **Community Development Director** shall notify the applicant of the date, time and place of the public hearing by certified mail to the address indicated on the application, which shall be mailed at least ~~ten (10)~~ **fifteen (15)** days prior to the public hearing. Receipt of such letter by the applicant or his agent (s) named in the application shall constitute notice to be present and present the requested amendment to the Planning and Zoning Commission. Failure of the applicant or his agent(s) to be present at the public hearing may mean an automatic termination of the proceedings on the request unless the applicant shows just cause by reason of illness or health emergency.

FISCAL IMPACT:

N/A

ATTACHMENTS:

None

RECOMMENDATION:

Staff recommends approval of the amendment.

CONCURRENCES:

City Manager

**City of Holly Springs
Planning and Zoning Commission Public Hearing Minutes
November 14, 2024**

Commission Members Present: Chairman Adrian Dekker, Vice Chairman Mike Grayeski, Commission Member Eric Huminski and Commission Member Andy Norris.

Commission Members Not Present: Commission Member Chris Adams.

Elected Officials Present: None.

Staff Present: City Manager Robert H. Logan, Community Development Director Nancy Moon, Laura Rollins with the City Attorney's Office, Captain Casey Barton, Sargent Scott Ryder, and Community Development Coordinator Tracey Chambers.

I. CALL TO ORDER

Chairman Dekker called the Planning and Zoning Public Hearing Meeting to order.

II. PUBLIC HEARING RULES

Commissioner Norris read the public hearing rules.

III. OLD BUSINESS/PUBLIC HEARING

No Old Business.

IV. NEW BUSINESS/PUBLIC HEARING

- A. **A-04-2024**, City of Holly Springs requests annexation of 0.38 +/- acres located at the intersection of Marble Quarry Road and Crestmont Drive, Cherokee County, GA, tax parcel 080A of tax plat 15N09.

Community Development Director Nancy Moon addressed the Commission and stated staff recommended approval to annex the property from the county into the City of Holly Springs.

Public hearing closed.

Vice Chairman Grayeski made a motion to approve. Commission Member Norris seconded the motion. Motion carried. Yes 4, No 0, Abstained 0.

- B. **MA-07-2024**, City of Holly Springs requests rezoning of 0.38 +/- acres located at the intersection of Marble Quarry Road and Crestmont Drive, Holly Springs, GA, tax parcel 080A of tax plat 15N09, from R-20, Single Family Residential (County), to GV, Governmental (City).

Community Development Director Nancy Moon informed the Commission that the property is at the intersection of Marble Quarry Road and Crestmont Drive. Ms. Moon said that the property was donated to the City on July 1, 2024 at the City Council meeting. Ms. Moon stated that the City now owns this property and requests rezoning from R-20, Single Family Residential, to GV, Governmental. Ms.

Moon said that the City is planning to use it as a right-of-way or possibly a linear park.

Holly Springs resident Dona Bilgrad of 134 Crestmont Drive had concerns regarding what the City plans to do with the property, to ensure the property does not back up to her property, and if the City would be responsible for any trees that fall on the property.

Holly Springs resident Bill Lewis of 204 Crestmont Way had concerns regarding trees on the property falling on the power lines as they do frequently and the neighborhood loses power. Mr. Lewis requested that the City have someone look at the trees to take action to keep the power from being interrupted.

Holly Springs resident Mary Lewis of 204 Crestmont Way had concerns regarding noise if the City builds a park on the property.

The City staff addressed the concerns.

Public Hearing closed.

Vice Chairman Grayeski made a motion to approve. Chairman Dekker seconded the motion. Motion carried. Yes 4, No 0, Abstained 0.

- C. **V-03-2024**, Vijay Garlapati requests a variance from the Holly Springs Zoning Ordinance, Article 9, Buffer Requirements, for property located off of Holly Springs Parkway, Holly Springs, GA, tax parcel 083A of tax plat 15N15.

Community Development Director Nancy Moon stated that this is commercial property located in front of the Pebblewood neighborhood and beside the fire training center. Ms. Moon said that the applicant will be building an office building on the property. Ms. Moon also stated that the adjacent property is in the county and is zoned R-40, which requires a 40 ft. buffer. Ms. Moon said that the applicant is asking for a variance to expand the parking area of the office building.

The applicant, Vijay Garlapati, addressed the commission and said that a power line easement is at the rear of the property so they cannot use that area. Mr. Garlapati said they are willing to put privacy screening at the frontage.

Public hearing closed.

Chairman Dekker made a motion to approve. Vice Chairman Grayeski seconded the motion. Motion carried. Yes 4, No 0, Abstained 0.

- D. **V-04-2024**, Preston Reed requests a variance from the setback requirements of the Holly Springs Zoning Ordinance for property located off of Orchard Trail, Holly Springs, GA, tax parcel 092 of tax plat 15N26H.

Community Development Director Nancy Moon informed the Commission that this

property is an existing home with an existing patio located in the Cagle Heights subdivision. Ms. Moon said that a patio is allowed to encroach on the rear setback, but when the patio is screened, it becomes a part of the home and would require a variance. Ms. Moon explained that the applicant is requesting to reduce the rear setback from 15 ft. to 7.5 ft. to screen the patio. Ms. Moon said that the home does back up to open space and the roadway, so no other homes would be impacted.

The applicant, Preston Reed, spoke and explained he would like to screen in the patio so that the family can enjoy it.

Public hearing closed.

Vice Chairman Grayeski made a motion to approve. Chairman Dekker seconded the motion. Motion carried. Yes 4, No 0, Abstained 0.

E. August 29, 2024 Planning and Zoning Public Hearing Meeting minutes.

Commission Member Huminski made a motion to approve. Vice Chairman Grayeski seconded the motion. Motion carried. Yes 4, No 0, Abstained 0.

V. REPORTS/COMMENTS

Community Development Director Nancy Moon asked that the Commissioners contact her and let her know if they are planning to continue to stay on the Commission through 2025.

VI. ADJOURNMENT

Vice Chairman Grayeski made a motion to adjourn the meeting. Commission Member Norris seconded the motion. Motion carried. Yes 4, No 0, Abstained 0.

Respectfully submitted.

Adrian Dekker, Chairman

Attest:

Tracey Chambers
Community Development Coordinator

**City of Holly Springs
Planning and Zoning Commission Work Session Minutes
November 21, 2024**

Commission Members Present: Chairman Adrian Dekker, Commission Member Eric Huminski and Commission Member Andy Norris.

Commission Members Not Present: Vice Chairman Mike Grayeski, Commission Member Chris Adams.

Elected Officials Present: None.

Staff Present: City Manager Robert H. Logan, Community Development Director Nancy Moon, Laura Rollins with the City Attorney's Office, Captain Jeff Lance, and Community Development Coordinator Tracey Chambers.

I. CALL TO ORDER

Chairman Dekker called the Planning and Zoning Meeting to order.

II. WORK SESSION GUIDELINES

Chairman Dekker read the Work Session Guidelines.

III. OLD BUSINESS

No Old Business.

IV. NEW BUSINESS

- A. **A-05-2024**, applicant, James Thomas, requests annexation of 9.7 +/- acres located off of Hickory Road, Cherokee County, GA, tax parcel 051A of tax plat 15N26.

Community Development Director Nancy Moon informed the Commission that this property is an existing sports track and a daycare with a baseball field behind it. The location is off of Hickory Road, across from Sequoyah High School and to the west of the Oakhaven neighborhood. The property is currently in the county, but the owner would like to annex into the City of Holly Springs.

Note: The acreage for this item was listed incorrectly. It has been corrected on the December 12, 2024 Planning Commission agenda.

- B. **MA-06-2024**, applicant, James Thomas, requests rezoning of 9.7 +/- acres located off of Hickory Road, Holly Springs, GA, tax parcel 051A of tax plat 15N26, from AG, Agricultural (County), to GC, General Commercial (City).

Community Director Nancy Moon stated that the property is currently zoned as Agricultural in the county and the request is to rezone to General Commercial in the city. The General Commercial zoning would allow for the existing daycare and baseball field. Ms. Moon said that the ball field has not been used in a couple of years, but the owner would like to reinstate it for use. The Commission discussed

the parking on the property with Ms. Moon.

Note: The acreage for this item was listed incorrectly. It has been corrected on the December 12, 2024 Planning Commission agenda.

- C. **CUP-04-2024**, applicant, Tejas Patel, requests a conditional use permit for a convenience store with gasoline pumps for property located off of Holly Springs Parkway, Holly Springs, GA, tax parcel 001 of tax plat 15N14D.

Community Development Director Nancy Moon stated that the applicant would like to build a convenience store with gas pumps on the property that is located off of Holly Springs Parkway. Ms. Moon informed the Commission that the current zoning is General Commercial, which allows for the requested use. Ms. Moon said the property is surrounded by residential homes. The applicant is also asking for a variance from the requirement that gas stations in the City require one full acre. Ms. Moon said that this property is 0.934 acres. The Commission discussed the traffic in the area as well as the other convenience stores with gas pumps in the City.

V. REPORTS/COMMENTS

No reports/comments.

VI. ADJOURNMENT

Commissioner Norris made a motion to adjourn the meeting. Chairman Dekker seconded the motion. Motion carried. Yes 3, No 0, Abstained 0.

Respectfully submitted.

Attest:

Adrian Dekker, Chairman

Tracey Chambers
Community Development Coordinator