

City of Holly Springs
Planning and Zoning Commission Meeting Minutes
February 8, 2024

Commission Members Present: Chris Adams, Adrian Dekker (C), Mike Grayeski (VC), Eric Huminski, and Andy Norris

Staff and Elected Officials Present: City Manager Robert H. Logan, Community Development Director Nancy Moon, Laura Rollins with the City Attorney's Office, Captain Casey Barton, Officer Carson Warner, and Community Development Coordinator Tracey Chambers.

I. Call to Order

Chairman Dekker called the meeting to order at approximately 7:00 PM.

II. Roll Call

All Commissioners Present

III. BUSINESS/PUBLIC HEARING

Vice Chairman Grayeski read the Public Hearing rules.

Commissioner Huminski made a motion to revise the agenda to hear case CUP-01-2024 first. Vice Chairman Grayeski seconded the motion. Motion carried 5-0.

- (1) CUP-01-2024**, applicant Yaseen Alnuzaili requests a conditional use permit for a CBD and/or Tobacco Specialty Store for property located at 2210 Holly Springs Parkway, Holly Springs, GA, tax parcel 038 of tax plat 15N14

Attorney Mitch Skandalakis spoke representing the applicant. Mr. Skandalakis stated that his client wished to withdraw his application. Mr. Skandalakis said that the business would only sell tobacco products and no CBD products.

- (2) A-07-2023**, applicant Windsong Properties requests annexation of 18.5 +/- acres located off of Hickory Flat Highway, Cherokee County, GA, tax parcel 204 of tax plat 15N19

- (3) MA-13-2023**, applicant Windsong Properties requests rezoning of 18.5 +/- acres located off of Hickory Flat Highway, Holly Springs, GA, tax parcel 204 of tax plat 15N19, from AG, Agricultural (County), to TND, Traditional Neighborhood Development, (City)

Adam Rozen, attorney for Windsong Properties, presented an updated site plan to the Commission that showed the density reduced from the original plan and a neighborhood entrance coming off of Univeter Road. Mr. Rozen stated that the entrance change would give additional space to be used for road improvements which would benefit the community. Mr. Rozen said that this is an

age targeted community, but not age restricted. Mr. Rozen pointed out that the property is within the city's growth boundary map.

Mark Carruth, the owner of Windsong Properties explained details of the development which will have 70 one-story single-family ranch style homes. Mr. Carruth stated that the HOA will maintain the clubhouse and open spaces in the development.

Chairman Dekker made a motion to extend the Public Hearing an additional five minutes. Vice Chairman Grayeski seconded the motion. Motion carried 5-0.

Community Development Director Nancy Moon stated that the developer would be working with the Georgia Department of Transportation regarding Hickory Flat Highway and with Cherokee County regarding Univeter Road. Cherokee County did not object to the development but had some concerns that Ms. Moon addressed with the Commission. Ms. Moon also stated that staff recommends approval with stipulations of the rezoning request. Ms. Moon reviewed the stipulations with the Commission.

Cherokee County resident Paul Stanford of 3745 Univeter Road voiced concerns regarding traffic volume and safety.

Mr. Rozen and City staff addressed the concerns.

Public hearing closed.

Commissioner Adams made a motion to approve A-07-2023. Commissioner Huminski seconded the motion. Motion carried 5-0.

Vice Chairman Grayeski made a motion to approve MA-13-2023 with staff stipulations. Commissioner Adams seconded the motion. Motion carried 5-0.

- (4) CUP-02-2024**, applicant Israel Ortega Grippa requests a conditional use permit for an Equipment Repair Establishment for property located at 2271 Holly Springs Parkway, Holly Springs, GA, tax parcel 026A of tax plat 15N14C

The applicant, Mr. Israel Ortega Grippa addressed the Commission. Mr. Grippa stated that he received a conditional use permit three years ago for the current location of his business and would like to move elsewhere in the city, and he is requesting the permit for the new location. Mr. Grippa explained the types of machinery that he repairs and the methods that he uses to do his repairs.

Community Development Director Nancy Moon stated that the property is zoned GC, General Commercial, which does not allow for this type of business; however, the ordinance allows a request for a conditional use permit be applied for projects that do not meet the requirements for GC zoning. Ms. Moon stated that the current location of the business is in a building zoned LI, Light Industrial, and the new business location is in a store front location with multiple adjacent tenants. Ms. Moon said that staff recommends denial of this case. Ms. Moon read a statement from the Fire Marshal regarding the requirements of necessary fire walls, storing of flammable liquids, and testing of gas-powered motors.

Public hearing closed.

Chairman Dekker made a motion to deny CUP-02-2024. Vice Chairman Grayeski seconded the motion. Motion carried 4-1 with Commissioner Huminski opposed to the motion.

- (5) **CUP-03-2024**, applicant Paola Bates requests a conditional use permit for a CBD and/or Tobacco Specialty Store for property located at 2210 Holly Springs Parkway, Holly Springs, GA, tax parcel 038 of tax plat 15N14

Applicant Paulo Bates addressed the Commission. Ms. Bates stated that the Miracle Leaf business is a health center and retail store with state certified doctors that would determine if a patient has a need for medical marijuana. The physicians would issue a medical marijuana card for the patients that are determined to require the cards. Ms. Bates went on to describe the business and stated the patients that qualified for the medical marijuana cards would obtain the product from one of five dispensaries in Georgia, not her business as it is not a dispensary.

Ms. Bates was further represented by the owner of a Miracle Leaf located in Macon, Georgia. The representative stated that the business is registered with the Department of Health for the state of Georgia, and they submit the patient information into the database for the state, the state then prints the patient's medical card, and sends it to the local health department where the patient resides and picks up his card.

Community Development Director Nancy Moon stated that this business does fall under the ordinance approved last year by the City Council regarding the selling of CBD products. Ms. Moon pointed out that that the ordinance states a CBD / Tobacco Specialty store cannot be within 5000 feet from another CBD / Tobacco Specialty store and this location is within 2000 feet of another CBD / Tobacco Specialty store that was grandfathered to sell the products previously.

Public hearing closed.

Commissioner Adams made a motion to approve CUP-03-2024. Commissioner Huminski seconded the motion. Motion carried 5-0.

- (6) Approve/deny the January 11, 2024 Meeting Minutes.

Commissioner Adams motioned to approve the January 11, 2024 meeting minutes. Commissioner Huminski seconded the motion. Motion carried 5-0.

- (7) Approve/deny the January 25, 2024 Meeting Minutes.

Commissioner Adams motioned to approve the January 25, 2024 meeting minutes. Vice Chairman Grayeski seconded the motion. Motion carried 5-0.

IV. Announcements from Staff

No announcements from Staff

V. Items from Commission Members

Commissioner Dekker spoke to staff regarding future CBD / Tobacco Specialty store cases.

VI. Adjournment

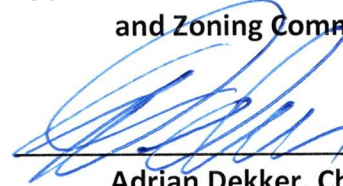
Chairman Dekker motioned to adjourn. Vice Chairman Grayeski seconded the motion.
Motion carried 5-0.

Respectfully Submitted.

Attest:


Tracey Chambers
Community Development Coordinator

**Approved and Adopted by the Planning
and Zoning Commission**



Adrian Dekker, Chairman


Date