



Planning and Zoning Commission Public Hearing

Holly Springs Public Safety Building, Council Chambers
3235 Holly Springs Pkwy, Holly Springs, GA 30115
Thursday, November 13, 2025 | 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. **MA-08-2025**, applicant EC New Vision Georgia, LLC requests rezoning of 3.97 +/- acres located off of Hickory Road, Holly Springs, GA, tax parcel 238 of tax plat 15N14, from LI, Light Industrial, to TND, Traditional Neighborhood Development.
- B. **CUP-02-2025**, applicant, Akbar Bhayani, requests a conditional use permit for a CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 727 Hickory Road, Holly Springs, GA, tax parcel 245 of tax plat 15N14.
- C. **CUP-03-2025**, applicant, Prayog Inc., requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2240 Holly Springs Parkway, Suite A, Holly Springs, GA, tax parcel 097H of tax plat 15N14.
- D. **CUP-04-2025**, applicant, James M. O'Rourke, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 5335 Holly Springs Parkway, Suite 103, Holly Springs, GA, tax parcel 081 of tax plat 15N15A.
- E. **CUP-05-2025**, applicants, Steven Hershey and Jacob Menard, request a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty for property located at 6115 Hickory Flat Highway, Suite 104, Holly Springs, GA, tax parcel 155F of tax plat 15N26.
- F. **CUP-06-2025**, applicant, Dennie Blackburn, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2200 Holly Springs Parkway, Holly Springs, GA, tax parcel 301 of tax plat 15N14.
- G. **CUP-07-2025**, applicant, Jonathan Davis, requests a conditional use permit for a CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 6244 Holly Springs Parkway, Suite A, Holly Springs, GA, tax parcel 106E of tax plat 15N16.

- H. **CUP-08-2025**, applicant, Tanisha Damani, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty for property located at 2619 Holly Springs Parkway, Holly Springs, GA, tax parcel 001 of tax plat 93N00.
- I. August 14, 2025 Planning and Zoning Public Hearing Meeting minutes.
- J. October 23, 2025 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: November 13, 2025

AGENDA ITEM: MA-08-2025, applicant EC New Vision Georgia, LLC requests rezoning of 3.97 +/- acres located off of Hickory Road, Holly Springs, GA, tax parcel 238 of tax plat 15N14, from LI, Light Industrial, to TND, Traditional Neighborhood Development.

EXECUTIVE SUMMARY:

Applicant, EC New Vision Georgia, LLC requests rezoning of 3.97 +/- acres located off of Hickory Road, Holly Springs, GA, tax parcel 238 of tax plat 15N14, from LI, Light Industrial, to TND, Traditional Neighborhood Development. This property is the site of the Thomas Concrete Plant and is currently zoned LI, Light Industrial. The applicant is proposing to rezone the site to TND for the development of a single-family residential subdivision consisting of 17 units with a density of 4.28 units per acre. This property is adjacent to the Courtyards at Redbud Lane, constructed by the same developer. This property will become a part of the association for the Courtyards at Redbud Lane and will include the same house plans as currently being constructed in Phases 1 and 2.

FISCAL IMPACT:

N/A

ATTACHMENTS:

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

RECOMMENDATION:

The staff recommendation is approval of the request to rezone the property to TND, Traditional Neighborhood Commercial with the following stipulations:

1. The development shall become a part of the master association for the Courtyards at Redbud Lane which shall be responsible for the oversight, upkeep, and maintenance of the entrance areas, signage, private infrastructure, detention areas, mail kiosk, amenity areas, common areas, open space areas, other common recreational areas, and all landscaping and plantings contained within the community.
2. The master association shall have architectural design regulations which shall control and coordinate all principal and accessory buildings within the project, as well as items such as project entrance signage, signage for individual units, signage within amenity areas, common areas, open space areas, other common recreational areas and the like to protect and maintain the quality and integrity of the development. The yard areas around each unit shall be fully sodded/landscaped and maintained by the mandatory homeowners' association.
3. All restrictive covenants and association documents shall be submitted for review by the Community Development Director prior to final plat approval.
4. All units within the proposed community shall be "for sale" units. The Declaration of Restrictive Covenants shall restrict the number of units which can be leased at any one time to no more than twenty percent.
5. Density shall be limited to a maximum maximum of 17 fee simple single-family detached residential dwelling units.
6. The minimum separation between all residential structures shall be 10 feet.
7. The architectural style shall be comparable to the elevations as submitted with the application and attached as Exhibit B with the exterior facade consisting of brick, stone, stacked stone, cedar shake type and/or Hardi-plank and combinations thereof, one of which must be brick or stone, and shall follow the design guidelines as outlined in the Holly Springs Zoning Ordinance, Article 19, Design Guidelines for Model Zoning Districts.
8. Gutters shall blend with the architectural style of the buildings, consistent with the master covenants as established by the master association.
9. Garage doors shall be setback a minimum of 20 feet from the back of sidewalks.
10. Signage at the entrance point shall be ground-based, monument style, in compliance with Article 10. Signs and Outdoor Advertising and shall complement the high quality, architectural vision and style of the proposed homes. The entrance areas shall be professionally designed, landscaped and maintained.
11. Lighting shall be environmentally sensitive, with developer 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.
12. Owner/developer shall coordinate with the Community Development Director and the City Arborist regarding open space, recreation areas, and landscaping.
13. Entrance design and improvements to Hickory Road shall be provided as per determination and recommendation of the City Engineer. The owner/developer shall make accommodations for the future widening of Hickory Road which may include, but not be limited, to Right of Way and Easement dedications as determined by the City Engineer during the plan review process.
14. Sidewalks, decorative streetlamps, and a stormwater ditch shall be installed along the road frontage of Hickory Road, as applicable, and shall conform to the design of the Holly Springs LCI Project 0008961, Pedestrian Improvements, as well as, the requirements of the Holly Springs Parkway District, as stated in Article 19, Design Guidelines for Model Zoning District.

15. All construction and employee vehicles and equipment shall be parked, and otherwise located, on the property during development of infrastructure and construction of residences and shall not be parked on or along Hickory Road. There will be no stacking of vehicles along any roadway waiting for entry onto the property.

16. Pedestrian access shall be provided between Phases 1 and 2 of the Courtyards at Redbud Lane and this proposed development, with direct access to the amenity area located in Phase 1.

17. As requested by the Cherokee County School District, the developer shall provide a School Mitigation Fee of \$392 per unit constructed and such fee shall be paid prior to the issuance of each building permit.

CONCURRENCES:

City Manager

MA-08-2025 Location Map

— Railroad

Zoning 2025

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

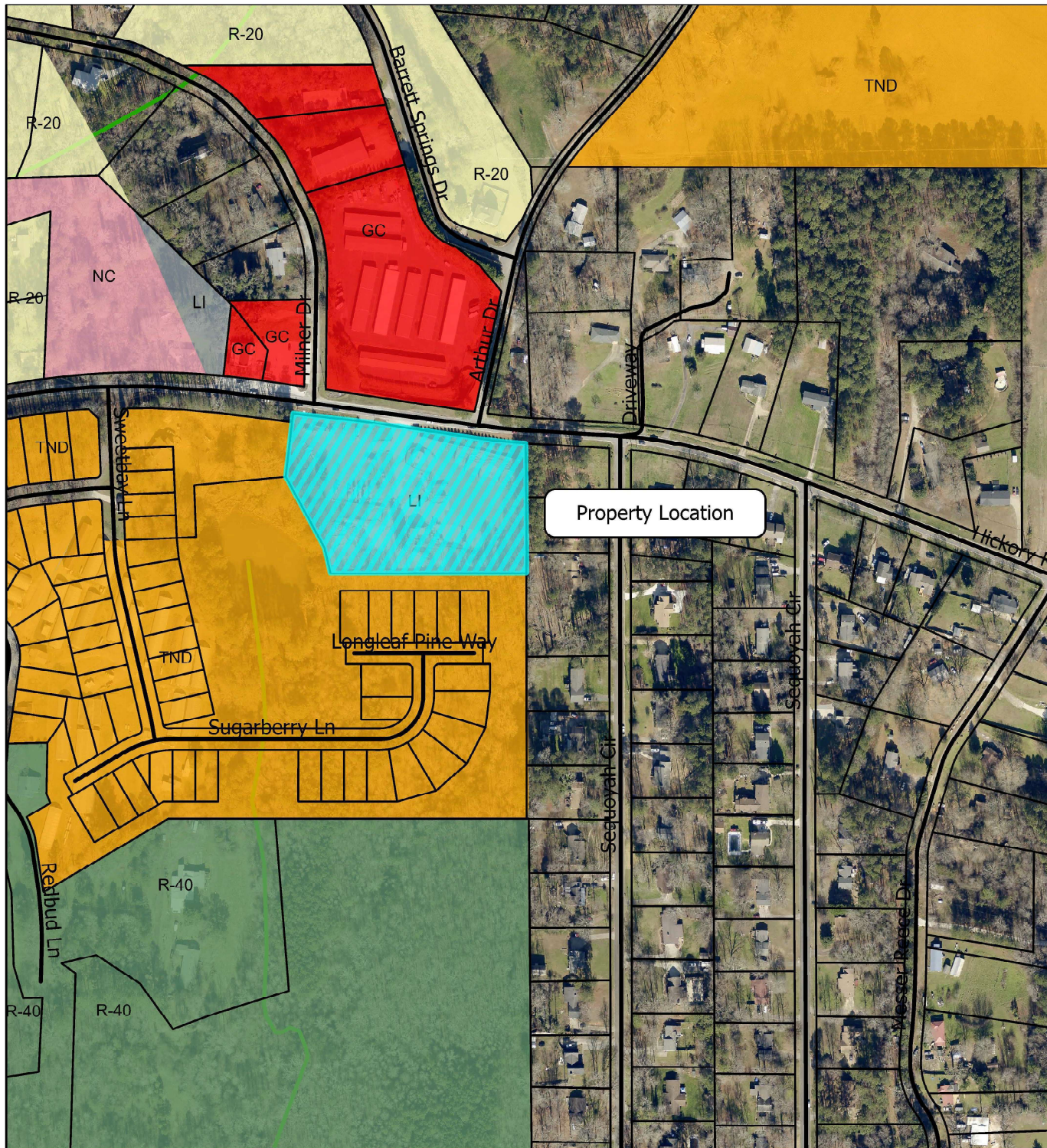
Parcels_Oct 2025

Streets_Oct 2025

Streets_Oct 2025



Property Location



Staff Analysis

A. Existing Land Use and Zoning Classification of Nearby Property

ADJACENT ZONING		ADJACENT DEVELOPMENT	
NORTH:	GC R-40 (County)	NORTH:	Self Storage/Gas Station SFR
SOUTH:	TND	SOUTH:	Courtyards at Redbud
EAST:	R-15 (County)	EAST:	SFR
WEST:	TND	WEST:	Courtyards at Redbud

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, self-storage, and a gas station with convenience store. The proposed development, consisting of 17 residences will be a part of the adjacent age-targeted Courtyards at Redbud Lane subdivision.

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

The development of this property should not cause a substantial adverse effect on adjacent or nearby properties with regards to existing uses or usability.

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 develop with those uses associated within the LI, Light Industrial 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 will generate minimal traffic and use of utilities; however, the development will follow all design regulations. As there are only 17 units, the application submittal is not required to include a traffic study and the school district does not generate impact reports for developments less than 25 units. However, since the adjacent property is paying \$392 per unit and this development will be a part of this subdivision, a school mitigation fee of equal value is being requested. Per the City Engineer:

The owner/developer shall make accommodations for the future widening of Hickory Road. This may include but not be limited to Right

of Way and Easement dedications determined by the City Engineer during the plan review process.

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 Future Development Map classifies this property for development within the Traditional Neighborhood character area. The Traditional Neighborhood character area corresponds with residential blocks within the originally settled area of Holly Springs, surrounding the town center, and within portions of newly created communities designed under a neotraditional or mixed-use framework. Acceptable uses are primarily single-family residences (stick-built, excluding manufactured homes) and some civic-institutional uses such as churches. Some other forms of housing such as duplexes and accessory apartments and townhouses may be permitted. Furthermore, neighborhood-serving retail and service uses may also be approved.

Application: Existing and new single-family residential neighborhoods with or without a mixed-use component.

Primary Future Land Uses: Single-family residential with neighborhood commercial, office, and government uses, and parks, recreation, greenways, and trails.

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

Density/Intensity: Moderate density single family residential uses up to 8 units/acre.

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 development, consisting of single-family detached residential homes, is in compliance with the vision and objectives of the Community Agenda, primarily as follows:

- a) **Residential Uses. Use the character areas and the Future Development Map (FDM) to guide residential growth, steering appropriate densities to suitable locations. (9.1, #3)**
- b) **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)**
- c) **Architectural Requirements. Utilize the adopted architectural requirements for the various character areas of the city, seeking to refine and enhance these requirements, as needed. Consistently enforce architectural regulations to promote a uniform and harmonious quality of development within respective character areas. (9.1, #11)**

- d) **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)
 - e) **Housing Options.** Promote an adequate range of safe, affordable, inclusive, and resource efficient housing in the community. This may be achieved by encouraging development of a variety of housing types, sizes, costs, and densities in each neighborhood; promoting programs to provide housing for residents of all socio-economic backgrounds, including affordable mortgage finance options; instituting programs to address homelessness issues in the community; or coordinating with local economic development programs to ensure availability of adequate workforce housing in the community. (9.2, #1)
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?

The 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 adjacent property has been developed with the same products as proposed with this development, will become a part of this development, and will only add 17 homes to the area.



MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA- _____ APPLICATION **CUP-08-2025**
HEARING DATE _____ DATE OF APPLICATION 9/12/2025
APPLICANT _____ OWNER HOLLY KWIJK MART INC.
(If other than applicant) _____
ADDRESS _____ ADDRESS 249 HOLLY SPRINGS PKWY
HOLLY SPRINGS, GA
ZIP CODE _____ PHONE _____ ZIP CODE 30115 PHONE [REDACTED]
EMAIL _____ EMAIL [REDACTED]
SIGNATURE _____ SIGNATURE [Signature]

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

PRESENT ZONING DISTRICT(S) _____ REQUESTED ZONING DISTRICT _____

REQUESTED CONDITIONAL USE(S) CUP FOR RETAIL

PROPERTY LOCATION ADDRESS _____

MAP NUMBER 93N00 PARCEL NUMBER(S) 001

LAND LOT(S) _____ DISTRICT(S) _____ SECTION(S) _____

ACREAGE 1.13 SEWAGE DISPOSAL TYPE SEptic UTILITIES AVAILABLE ELECTRIC / WATER

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST: _____

CUP FOR RETAIL

(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# _____

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? YES

(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property? N/A

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned? N/A

(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? N/A

(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)? N/A

(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? N/A

(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?

N/A

(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?

N/A

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: 2500 sq. ft.

Number of stories: 1

Total number of employees: 2

Exterior façade: Back

Anticipated start date: N/A

Anticipated completion date: N/A

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: _____

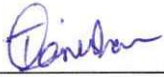
If you have made more than one campaign contribution, please add an additional sheet which lists the above details of **each** campaign contribution.

09/12/25

DATE

TANISHA DAMANT

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. *YES*
2. State the proposed business name, brand, flag, and/or franchise. *HOLLY KWIK MART INC*
3. Explain in detail what services the proposed conditional use business will provide. *RETAIL (LESS THAN 10Y.)*
4. Has a business plan or model been completed for this proposed conditional use business? *N/A*
5. Why was this specific location chosen for this proposed establishment?
6. What is the projected date that the proposed conditional use business will open? *ALREADY OPEN*
7. How many employees are expected to work at the proposed conditional use business? *TWO EMPLOYEES*
8. What are the expected hours of operation for the proposed conditional use business? *6 AM - 10 PM*
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? *TOBACCO LICENSE YES*
10. Does the proposed conditional use business conform with the nearby uses already in existence? *NO*
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available? *NO*
12. Will the proposed conditional use business create a nuisance or disturbance to nearby or adjacent properties? *NO*
13. Is the proposed conditional use business a service that is similar or will overlap a nearby establishment already in existence? *NO*
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? *N/A*
15. Will the business have adequate facilities and parking to accommodate the proposed use? *YES*
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? *NO*

ITEM REPORT

AGENDA ITEM NUMBER: IV.B.



FROM: Nancy Moon, Community Development Director

MEETING DATE: November 13, 2025

AGENDA ITEM: CUP-02-2025, applicant, Akbar Bhayani, requests a conditional use permit for a CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 727 Hickory Road, Holly Springs, GA, tax parcel 245 of tax plat 15N14.

EXECUTIVE SUMMARY:

Applicant, Akbar Bhayani, requests a conditional use permit for a CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 727 Hickory Road, Holly Springs, GA, tax parcel 245 of tax plat 15N14. This established business is an ancillary use within the Hickory Market. With the recent changes in state law and the most recent amendment to the zoning ordinance regarding these types of establishments, the City Council did not grandfather the sale of any THC or hemp products. This CUP application requests to add the sale of THC to their existing business license.

Since a number of CUP requests have been submitted, the criteria regarding these types of establishments will be addressed for all cases in the following table:

				Required Distance			
	Business Name	Type	Requested Use	Religious Institution (>1,000 ft.)	Day Care Center (>1,000 ft)	School (>1,000 ft.)	CBD, Hemp, THC, and/or Tobacco Specialty Store (>5,000 ft.)
				Actual Distance			
CUP-02-2025	Hickory Market	Ancillary	THC	3,019	6,736	6,746	6,541

CUP-03-2025	PJ's Hop-In	Ancillary	Hemp/THC	1,523	3,982	1,173	540
CUP-04-2025	Ole 5 Vapor	Primary	Hemp/THC	2,355	5,740	873	5,866
CUP-05-2025	Maximum Vapor	Primary	Hemp/THC	2,177	6,018	1,832	>5,000
CUP-06-2025	Walmart	Ancillary	Hemp	1,718	3,153	2,764	907
CUP-07-2025	Delta Depot	Primary	Hemp/THC	1,259	588	1,299	5,866
CUP-08-2025	Kwick Mart	Ancillary	Hemp/THC	288	2,442	138	2,016

Since these are existing stores wishing to add hemp or THC to their existing licensing, there are a number of options with regard to the approval or denial of these CUP requests:

- 1) Full CUP approval for all CBD, Hemp, THC and Tobacco products;
- 2) CUP approval for just the Tobacco and CBD/Denial of the sale of Hemp and THC.
- 3) Denial of the CUP request for Hemp and THC but grandfather the sale of Tobacco and CBD with the grandfathered use staying nonconforming.

FISCAL IMPACT:

N/A

ATTACHMENTS:

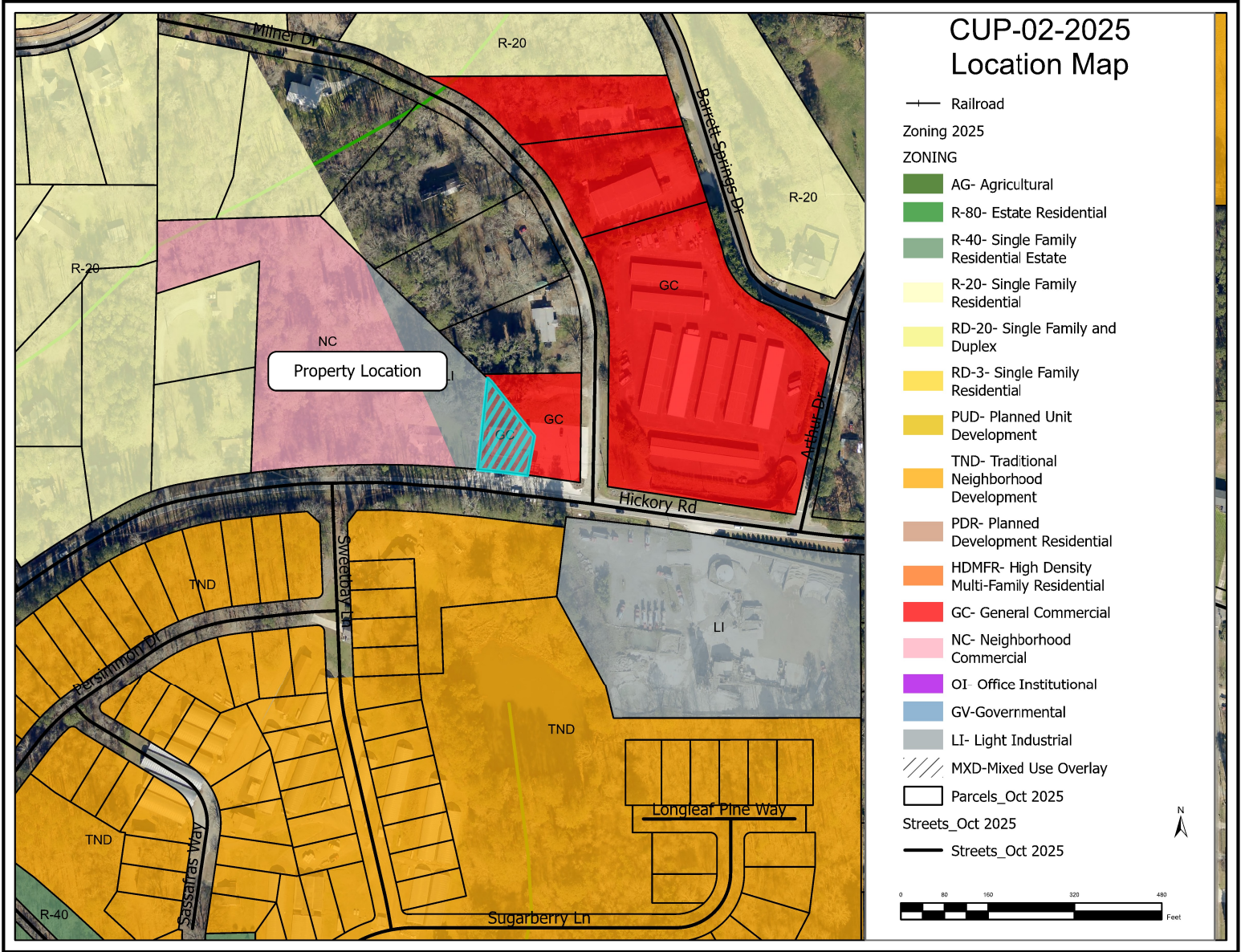
1. Location Map
2. Application

RECOMMENDATION:

The staff recommendation is to deny the Conditional Use Permit request to add THC to the business license, but grant a Conditional Use Permit for the grandfathered uses of Tobacco and CBD.

CONCURRENCES:

City Manager





MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA- _____ APPLICATION **CUP-02-2025**
HEARING DATE _____ DATE OF APPLICATION 09/08/2025
APPLICANT Akbar Bhayani OWNER Ashraf Bhayani
(If other than applicant) _____
ADDRESS 727 Hickory Road ADDRESS 2016 Kinderton Manor Dr
ZIP CODE 30115 PHONE [REDACTED] ZIP CODE 30097 PHONE _____
EMAIL [REDACTED] EMAIL [REDACTED]
SIGNATURE [Signature] SIGNATURE [Signature]

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

PRESENT ZONING DISTRICT(S) _____ REQUESTED ZONING DISTRICT _____
REQUESTED CONDITIONAL USE(S) Sell of THC products
PROPERTY LOCATION/ADDRESS 727 hickory road, Holl ysprings
MAP NUMBER _____ PARCEL NUMBER(S) 15N14-245
LAND LOT(S) _____ DISTRICT(S) _____ SECTION(S) _____
ACREAGE .48 SEWAGE DISPOSAL TYPE Septic UTILITIES AVAILABLE _____
DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST: _____
Sell of THC products

(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 _____
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FILING FEES 500.00 RECEIPT# 090825JR CHECK# 2820

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? _____

Yes. The proposed sale of THC products will occur entirely within the existing gas station/convenient store, which is already a permitted commercial use.

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

No. All sales occur indoors under strict regulation. Security, ID verification, and state-mandated compliance prevent adverse impacts.

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

(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? _____

No. Customers purchasing THC products are the same customer base already using the gas station. No additional utility demand, public safety burden, or traffic increase is expected.

(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)? _____

Yes. The property is designated for commercial activity in the comprehensive plan. Retail sale of THC products is consistent with that intent and remains within the scope of small-scale, neighborhood-serving retail.

(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. The comprehensive plan encourages diverse, regulated retail that provides consumer choice and strengthens local commerce. This proposal supports those goal: maintaining public safety.

(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. The proposal involves indoor retail only within an existing building. No construction, site grading, or environmental disturbance is required.

(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? Yes. Evolving state regulations have legalized the retail sale of THC products, creating market demand. Approving this conditional use allows the property to adapt responsively while remaining consistent with surrounding commercial uses.

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: 1800 sq. ft.

Number of stories: 1

Total number of employees: 3

Exterior façade: _____

Anticipated start date: _____

Anticipated completion date: _____

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.
2. State the proposed business name, brand, flag, and/or franchise.
3. Explain in detail what services the proposed conditional use business will provide.
4. Has a business plan or model been completed for this proposed conditional use business?
5. Why was this specific location chosen for this proposed establishment?
6. What is the projected date that the proposed conditional use business will open?
7. How many employees are expected to work at the proposed conditional use business?
8. What are the expected hours of operation for the proposed conditional use business?
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?
10. Does the proposed conditional use business conform with the nearby uses already in existence?
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available?
12. Will the proposed conditional use business create a nuisance or disturbance to 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?
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?
15. Will the business have adequate facilities and parking to accommodate the proposed use?
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?

Attachment B Answers

1. Yes. The business will comply with all applicable zoning stipulations, state licensing requirements, and operational regulations, including age verification and security protocols.

2. Hickory Market

3. The business will sell THC products in sealed packaging for off-site consumption only, consistent with state law. Products will be displayed and sold indoors only, with strict ID verification.

4. Yes. The operator has an established retail model for convenience goods. THC sales will integrate into existing operations with enhanced compliance procedures.

5. The location is already an active fueling and retail destination, serving neighborhood and commuter traffic. Offering THC products here provides convenience to an existing customer base in a secure, regulated setting.

6. Running Business

7. No additional employees are required beyond current staffing.

8. Monday-Saturday 5am-11pm Sunday 7am-10pm

9. Licensing requirements.

Yes. A state license is required for THC product sales. Which is currently UpToDate.

10. Yes. The proposal is consistent with surrounding commercial retail and service establishments.

11. While no formal study has been commissioned, market demand is evident through growing consumer use and similar retail offerings across the region.

12. No. All sales occur indoors with no outdoor use permitted. Strict ID checks, security, and packaging eliminate nuisances.

13. There are limited outlets for THC products in the immediate area. This use expands consumer access without oversaturating the market.

14. Yes. The use complements the district by diversifying retail offerings in a controlled, safe, and consumer-oriented manner.

15. Yes. The existing gas station has sufficient parking and facilities to accommodate the use.

16. Yes. The business is located in a neighborhood commercial corridor where local residents can access the store conveniently.

ITEM REPORT

AGENDA ITEM NUMBER: IV.C.



FROM: Nancy Moon, Community Development Director

MEETING DATE: November 13, 2025

AGENDA ITEM: CUP-03-2025, applicant, Prayog Inc., requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2240 Holly Springs Parkway, Suite A, Holly Springs, GA, tax parcel 097H of tax plat 15N14.

EXECUTIVE SUMMARY:

Applicant, Prayog Inc., requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2240 Holly Springs Parkway, Suite A, Holly Springs, GA, tax parcel 097H of tax plat 15N14. This established business is an ancillary use within PJ's Hop-In. With the recent changes in state law and the most recent amendment to the zoning ordinance regarding these types of establishments, the City Council did not grandfather the sale of any THC or hemp products. This CUP application requests to add the sale of Hemp and THC to their existing business license.

Since a number of CUP requests have been submitted, the criteria regarding these types of establishments will be addressed for all cases in the following table:

				Required Distance			
	Business Name	Type	Requested Use	Religious Institution (>1,000 ft.)	Day Care Center (>1,000 ft)	School (>1,000 ft.)	CBD, Hemp, THC, and/or Tobacco Specialty Store (>5,000 ft.)
				Actual Distance			
CUP-02-2025	Hickory Market	Ancillary	THC	3,019	6,736	6,746	6,541

CUP-03-2025	PJ's Hop-In	Ancillary	Hemp/THC	1,523	3,982	1,173	540
CUP-04-2025	Ole 5 Vapor	Primary	Hemp/THC	2,355	5,740	873	5,866
CUP-05-2025	Maximum Vapor	Primary	Hemp/THC	2,177	6,018	1,832	>5,000
CUP-06-2025	Walmart	Ancillary	Hemp	1,718	3,153	2,764	907
CUP-07-2025	Delta Depot	Primary	Hemp/THC	1,259	588	1,299	5,866
CUP-08-2025	Kwick Mart	Ancillary	Hemp/THC	288	2,442	138	2,016

Since these are existing stores wishing to add hemp or THC to their existing licensing, there are a number of options with regard to the approval or denial of these CUP requests:

- 1) Full CUP approval for all CBD, Hemp, THC and Tobacco products;
- 2) CUP approval for just the Tobacco and CBD/Denial of the sale of Hemp and THC.
- 3) Denial of the CUP request for Hemp and THC but grandfather the sale of Tobacco and CBD with the grandfathered use staying nonconforming.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Location Map
2. Application

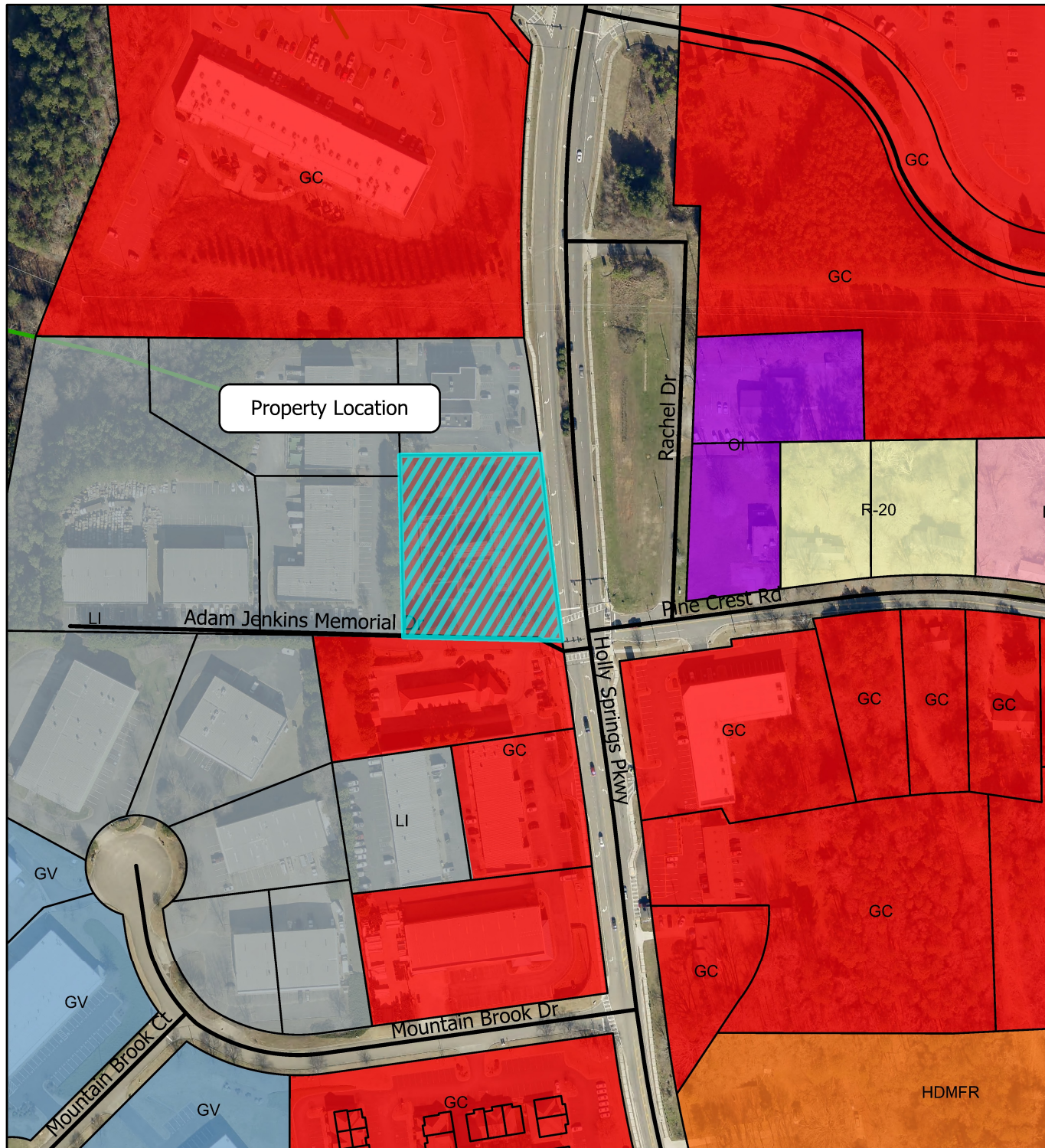
RECOMMENDATION:

The staff recommendation is to deny the Conditional Use Permit request to add Hemp and THC to the business license, but grant a Conditional Use Permit for the grandfathered uses of Tobacco and CBD.

CONCURRENCES:

City Manager

CUP-03-2025 Location Map



—+— Railroad

Zoning 2025

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

Parcels_Oct 2025

Streets_Oct 2025

Streets_Oct 2025



MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures See p. 1

APPLICATION MA- _____ APPLICATION CUP- 03-2025
HEARING DATE _____ DATE OF APPLICATION _____
APPLICANT PRAYOG INC. dba OWNER Holly Springs Center, LLC
P/S HOL- IN (If other than applicant) _____
ADDRESS 2240 HOLLY SPRINGS PKWY. ADDRESS 1255 Lakes Parkway, Suite 180
SUITE-A, HOLLY SPRINGS Lawrenceville, GA
ZIP CODE 30115 PHONE [REDACTED] ZIP CODE 30043 PHONE 770.338.2620
EMAIL P/S 2240@GICLOUD.COM EMAIL legal@majorsmgmt.com
SIGNATURE [Signature] SIGNATURE [Signature]

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

PRESENT ZONING DISTRICT(S) _____ REQUESTED ZONING DISTRICT _____
REQUESTED CONDITIONAL USE(S) CBO/TEMP/ITC RESALE
PROPERTY LOCATION/ADDRESS 2240 HOLLY SPRINGS PKWY. SUITE A, HOLLY SPRINGS
MAP NUMBER 15N14 097 H PARCEL NUMBER(S) 15-0272-0018
LAND LOT(S) 0272 DISTRICT(S) 15 SECTION(S) _____
ACREAGE 1.377 SEWAGE DISPOSAL TYPE _____ UTILITIES AVAILABLE _____
DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST _____

(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 UTILITIES)

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION:

APPROVED _____ STIPULATIONS _____

DISAPPROVED _____

CITY COUNCIL DECISION:

APPROVED _____ STIPULATIONS _____

DISAPPROVED _____

FILING FEES _____ RECEIPT# _____ CHECK# _____

ATTACHMENT B

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

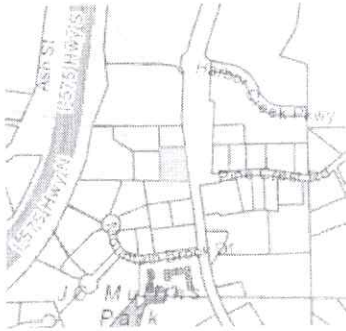
1. Please verify that the proposed use complies with all of the additional stipulations by use, if any, as set forth by Section 5.4, Article 5.
YES, PROPOSED USE COMPLIES WITH ALL THE additional stipulations.
2. State the proposed business name, brand, flag, and/or franchise.
PRAYOG INC. dba. PJ'S HOPE-IN (SHELL GAS STATION)
3. Explain in detail what services the proposed conditional use business will provide.
GAS STATION WITH C-STORE GROCERY, BEER & WINE, VAPE, CBD, THC
4. Has a business plan or model been completed for this proposed conditional use business?
N/A EXISTING LOCATION
5. Why was this specific location chosen for this proposed establishment?
ESTABLISHED GAS STATION C-STORE
6. What is the projected date that the proposed conditional use business will open?
PRE ESTABLISHED LOCATION CURRENTLY SELLING PROPOSED PRODUCTS -
7. How many employees are expected to work at the proposed conditional use business?
2 FULLTIME 3 PARTTIME
8. What are the expected hours of operation for the proposed conditional use business?
5:30AM to 10 AM (MONDAY - FRIDAY) 7AM - 10 PM SATURDAY, 7AM - 9PM SUNDAY.
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?
BUSINESS LICENSE, YES (to
10. Does the proposed conditional use business conform with the nearby uses already in existence? *N/A*
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available?
N/A, NO
12. Will the proposed conditional use business create a nuisance or disturbance to nearby or adjacent properties?
NO
13. Is the proposed conditional use business a service that is similar or will overlap a nearby establishment already in existence?
NO,
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?
15. Will the business have adequate facilities and parking to accommodate the proposed use?
YES
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?
N/A

Geocortex Essentials Parcel Report

Cherokee County, GA

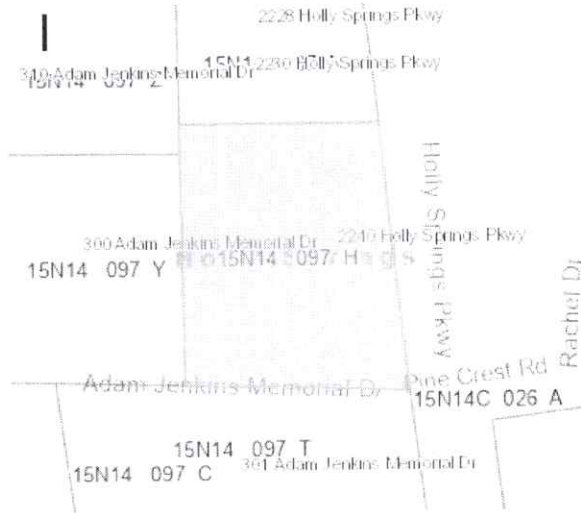
TIN: 15N14 097 H

Report generated 9/16/2025 3:58:39 PM



Vicinity Map

1: 17,708.30



Tax parcel highlighted in cyan

1: 2,303.46

Tax Parcel Information

Owner: HOLLY SPRINGS CENTER LLC

Property Address: 2240 Holly Springs Pkwy, Canton 30115

Subdivision: Mountain Brook Industrial Park

TIN: 15N14 097 H

PIN: 15-0272-0018

Mailing Address: P O BOX 1565, LAWRENCEVILLE, GA 30046

Acreage: 1.377

Lot #: 12

PB/PG:

DB/PG:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

ITEM REPORT

AGENDA ITEM NUMBER: IV.D.



FROM: Nancy Moon, Community Development Director

MEETING DATE: November 13, 2025

AGENDA ITEM: CUP-04-2025, applicant, James M. O'Rourke, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 5335 Holly Springs Parkway, Suite 103, Holly Springs, GA, tax parcel 081 of tax plat 15N15A.

EXECUTIVE SUMMARY:

Applicant, James M. O'Rourke, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 5335 Holly Springs Parkway, Suite 103, Holly Springs, GA, tax parcel 081 of tax plat 15N15A. This established business is a primary use under the business name of Ole 5 Vapor. With the recent changes in state law and the most recent amendment to the zoning ordinance regarding these types of establishments, the City Council did not grandfather the sale of any THC or hemp products. This CUP application requests to add the sale of Hemp and THC to their existing business license.

Since a number of CUP requests have been submitted, the criteria regarding these types of establishments will be addressed for all cases in the following table:

				Required Distance			
	Business Name	Type	Requested Use	Religious Institution (>1,000 ft.)	Day Care Center (>1,000 ft)	School (>1,000 ft.)	CBD, Hemp, THC, and/or Tobacco Specialty Store (>5,000 ft.)
				Actual Distance			
CUP-02-2025	Hickory Market	Ancillary	THC	3,019	6,736	6,746	6,541

CUP-03-2025	PJ's Hop-In	Ancillary	Hemp/THC	1,523	3,982	1,173	540
CUP-04-2025	Ole 5 Vapor	Primary	Hemp/THC	2,355	5,740	873	5,866
CUP-05-2025	Maximum Vapor	Primary	Hemp/THC	2,177	6,018	1,832	>5,000
CUP-06-2025	Walmart	Ancillary	Hemp	1,718	3,153	2,764	907
CUP-07-2025	Delta Depot	Primary	Hemp/THC	1,259	588	1,299	5,866
CUP-08-2025	Kwick Mart	Ancillary	Hemp/THC	288	2,442	138	2,016

Since these are existing stores wishing to add hemp or THC to their existing licensing, there are a number of options with regard to the approval or denial of these CUP requests:

- 1) Full CUP approval for all CBD, Hemp, THC and Tobacco products;
- 2) CUP approval for just the Tobacco and CBD/Denial of the sale of Hemp and THC.
- 3) Denial of the CUP request for Hemp and THC but grandfather the sale of Tobacco and CBD with the grandfathered use staying nonconforming.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Location Map
2. Application

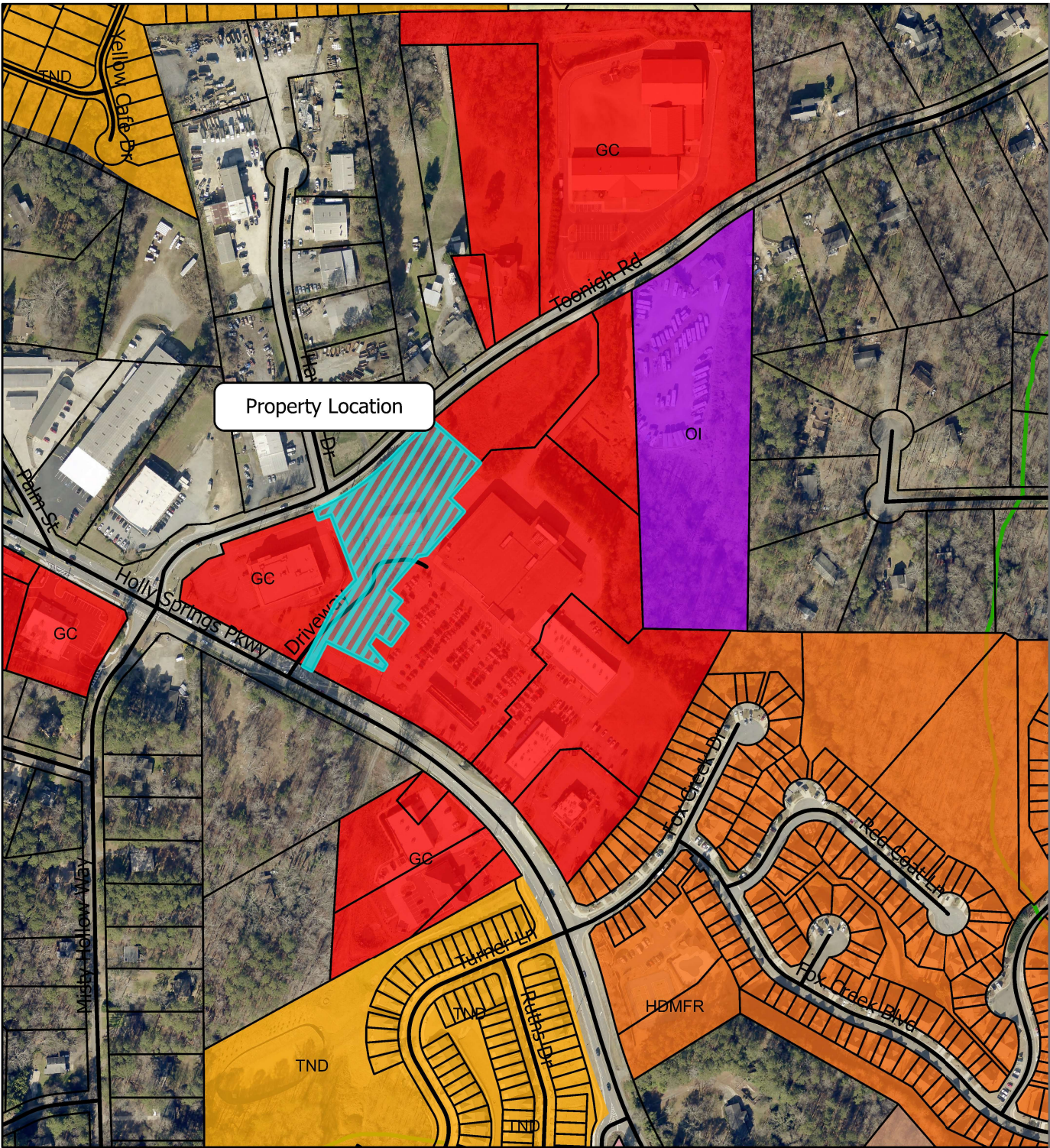
RECOMMENDATION:

The staff recommendation is to deny the Conditional Use Permit request to add Hemp and THC to the business license, but grant a Conditional Use Permit for the grandfathered uses of Tobacco and CBD.

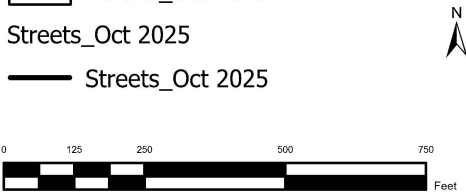
CONCURRENCES:

City Manager

CUP-04-2025 Location Map



- +— Railroad
- Zoning 2025
- 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
- Parcels_Oct 2025
- Streets_Oct 2025
- Streets_Oct 2025





MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA-_____ APPLICATION CUP- 04-2025

HEARING DATE _____ DATE OF APPLICATION _____

APPLICANT Ole 5 vapor *OWNER _____
James M. O'Rourke (If other than applicant)

ADDRESS 5335 Old Hwy 5 #103 ADDRESS _____
Woodstock GA 30188

ZIP CODE 30188 PHONE 4-783-8884 ZIP CODE _____ PHONE _____

EMAIL ole5vapor@gmail EMAIL _____

SIGNATURE J. O'Rourke *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) CBP, Hemp, THC, & OR Tobacco-specific SGA

PROPERTY LOCATION/ADDRESS 5335 Old Hwy 5 Suite 103 Holly Springs 30188

MAP NUMBER _____ PARCEL NUMBER(S) _____

LAND LOT(S) _____ DISTRICT(S) _____ SECTION(S) _____

ACREAGE _____ SEWAGE DISPOSAL TYPE _____ UTILITIES AVAILABLE _____

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:
CUP For Above use.

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application:

- ____ WARRANTY DEED
- ____ TAX DOCUMENTATION
- ____ SURVEY PLAT BY REGISTERED SURVEYOR
- NA LARGE COPY (22" x 34") OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR ____ I PDF
- ____ COPY OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR
- ____ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ____ ATTACHMENT B (CONDITIONAL USE PERMIT REQUESTS ONLY)
- NA 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- 04-2025
HEARING DATE _____ DATE OF APPLICATION _____
APPLICANT _____ **OWNER** FrostPoint Capital, LLC - Conor Sweeney
(If other than applicant) _____
ADDRESS _____ **ADDRESS** 205 Dautra Street, Suite 300, West Palm Beach, FL
ZIP CODE _____ PHONE _____ **ZIP CODE** 33401 **PHONE** 561-396-2335
EMAIL _____ **EMAIL** csweeney@frostpointcapital.com
SIGNATURE _____ **SIGNATURE** Conor Sweeney
Signer ID: KR0ZC91W14...

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

PRESENT ZONING DISTRICT(S) _____ REQUESTED ZONING DISTRICT _____
REQUESTED CONDITIONAL USE(S) _____
PROPERTY LOCATION/ADDRESS _____
MAP NUMBER _____ PARCEL NUMBER(S) _____
LAND LOT(S) _____ DISTRICT(S) _____ SECTION(S) _____
ACREAGE _____ SEWAGE DISPOSAL TYPE _____ UTILITIES AVAILABLE _____
DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST: _____

(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# _____

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.
2. State the proposed business name, brand, flag, and/or franchise.
ole 5 vapor
3. Explain in detail what services the proposed conditional use business will provide.
THC, HEMP, Tobacco, E-vapor, E-juice
4. Has a business plan or model been completed for this proposed conditional use business?
Est. 2014
5. Why was this specific location chosen for this proposed establishment?
Availability
6. What is the projected date that the proposed conditional use business will open?
2014
7. How many employees are expected to work at the proposed conditional use business?
2
8. What are the expected hours of operation for the proposed conditional use business?
10AM - 8PM
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? *yes*
Tobacco Licence / YES HEMP Licence / YES.
10. Does the proposed conditional use business conform with the nearby uses already in existence? *yes*
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available? *N/A*
12. Will the proposed conditional use business create a nuisance or disturbance to nearby or adjacent properties? *NO*
13. Is the proposed conditional use business a service that is similar or will overlap a nearby establishment already in existence? *NO*
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? *NA*
15. Will the business have adequate facilities and parking to accommodate the proposed use? *yes*
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? *yes*

ITEM REPORT

AGENDA ITEM NUMBER: IV.E.



FROM: Nancy Moon, Community Development Director

MEETING DATE: November 13, 2025

AGENDA ITEM: CUP-05-2025, applicants, Steven Hershey and Jacob Menard, request a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty for property located at 6115 Hickory Flat Highway, Suite 104, Holly Springs, GA, tax parcel 155F of tax plat 15N26.

EXECUTIVE SUMMARY:

Applicants, Steven Hershey and Jacob Menard, request a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty for property located at 6115 Hickory Flat Highway, Suite 104, Holly Springs, GA, tax parcel 155F of tax plat 15N26. This established business is a primary use under the business name of Maximum Vapor. With the recent changes in state law and the most recent amendment to the zoning ordinance regarding these types of establishments, the City Council did not grandfather the sale of any THC or hemp products. This CUP application requests to add the sale of Hemp and THC to their existing business license.

Since a number of CUP requests have been submitted, the criteria regarding these types of establishments will be addressed for all cases in the following table:

				Required Distance			
	Business Name	Type	Requested Use	Religious Institution (>1,000 ft.)	Day Care Center (>1,000 ft)	School (>1,000 ft.)	CBD, Hemp, THC, and/or Tobacco Specialty Store (>5,000 ft.)
				Actual Distance			
CUP-02-2025	Hickory Market	Ancillary	THC	3,019	6,736	6,746	6,541

CUP-03-2025	PJ's Hop-In	Ancillary	Hemp/THC	1,523	3,982	1,173	540
CUP-04-2025	Ole 5 Vapor	Primary	Hemp/THC	2,355	5,740	873	5,866
CUP-05-2025	Maximum Vapor	Primary	Hemp/THC	2,177	6,018	1,832	>5,000
CUP-06-2025	Walmart	Ancillary	Hemp	1,718	3,153	2,764	907
CUP-07-2025	Delta Depot	Primary	Hemp/THC	1,259	588	1,299	5,866
CUP-08-2025	Kwick Mart	Ancillary	Hemp/THC	288	2,442	138	2,016

Since these are existing stores wishing to add hemp or THC to their existing licensing, there are a number of options with regard to the approval or denial of these CUP requests:

- 1) Full CUP approval for all CBD, Hemp, THC and Tobacco products;
- 2) CUP approval for just the Tobacco and CBD/Denial of the sale of Hemp and THC.
- 3) Denial of the CUP request for Hemp and THC but grandfather the sale of Tobacco and CBD with the grandfathered use staying nonconforming.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Location Map
2. Application

RECOMMENDATION:

The staff recommendation is to deny the Conditional Use Permit request to add Hemp and THC to the business license, but grant a Conditional Use Permit for the grandfathered uses of Tobacco and CBD.

CONCURRENCES:

City Manager

CUP-05-2025 Location Map



— Railroad

Zoning 2025

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

Parcels_Oct 2025

Streets_Oct 2025

Streets_Oct 2025





MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA- _____ APPLICATION CUP- 05-2025

HEARING DATE _____ DATE OF APPLICATION _____

APPLICANT STEVEN HERSHEY OWNER 6115 Hickory Flat LLC
(If other than applicant)

JACOB MENARD
ADDRESS 6115 HICKORY FLAT ADDRESS 970 Old Place Dr
HWY, STE 104, CANTON, GA Alpharetta

ZIP CODE 30115 PHONE (770) 403-6739 ZIP CODE 30009 PHONE _____

EMAIL JACOB@SLHRETAIL.COM EMAIL _____

SIGNATURE [Signature] SIGNATURE [Signature]

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

PRESENT ZONING DISTRICT(S) _____ REQUESTED ZONING DISTRICT _____

REQUESTED CONDITIONAL USE(S) Sale of Hemp, CBD and THC

PROPERTY LOCATION/ADDRESS 6115 Hickory Flat Hwy, STE 104, CANTON, GA

MAP NUMBER _____ PARCEL NUMBER(S) _____

LAND LOT(S) _____ DISTRICT(S) _____ SECTION(S) _____

ACREAGE _____ SEWAGE DISPOSAL TYPE _____ UTILITIES AVAILABLE _____

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST: We
are requesting a conditional use permit to sell CBD,
Hemp and THC.

(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# _____

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: _____

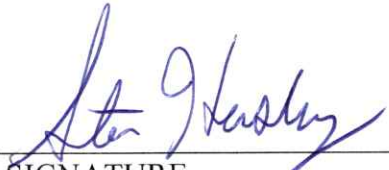
Description of Contribution: _____

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.

10-2-25
DATE

Steven Hershey
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.
2. State the proposed business name, brand, flag, and/or franchise.
3. Explain in detail what services the proposed conditional use business will provide.
4. Has a business plan or model been completed for this proposed conditional use business?
5. Why was this specific location chosen for this proposed establishment?
6. What is the projected date that the proposed conditional use business will open?
7. How many employees are expected to work at the proposed conditional use business?
8. What are the expected hours of operation for the proposed conditional use business?
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?
10. Does the proposed conditional use business conform with the nearby uses already in existence?
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available?
12. Will the proposed conditional use business create a nuisance or disturbance to 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?
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?
15. Will the business have adequate facilities and parking to accommodate the proposed use?
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?

Answers to questions on Attachment B (Page 5)

1. The business already complies with all the additional stipulations by use that are set forth by Section 5.4, Article 5.
2. SLH Retail Investments INC. dba Maximum Vapor
3. The current business already provides alternative tobacco products and is wanting a conditional use permit to sell CBD, Hemp, and THC that meets the legal requirements set forth by the Georgia Department of Agriculture. To which the business currently holds a license from the Georgia Department of Agriculture.
4. The current business plan will continue after the issuance of the conditional use permit.
5. This location has been in operation with a business license from Holly Springs.
6. The business is already in operation and seeking to comply with the new ordinance.
7. Two.
8. The current hours of operation are Monday through Saturday from 11:00 AM to 7:00 PM. Sunday from 12:00 PM to 6:00 PM.
9. The State of Georgia requires that we obtain and maintain a Tobacco License and a Hemp License. Both of which we have obtained and are in good standing.
10. Yes.
11. No.
12. No.
13. No.
14. Yes.
15. Yes.
16. No.

17th Double Decker Station

EXISTING RIGHT-OF-WAY

ZONING: GC

Page 43

ITEM REPORT

AGENDA ITEM NUMBER: IV.F.



FROM: Nancy Moon, Community Development Director

MEETING DATE: November 13, 2025

AGENDA ITEM: CUP-06-2025, applicant, Dennie Blackburn, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2200 Holly Springs Parkway, Holly Springs, GA, tax parcel 301 of tax plat 15N14.

EXECUTIVE SUMMARY:

Applicant, Dennie Blackburn, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2200 Holly Springs Parkway, Holly Springs, GA, tax parcel 301 of tax plat 15N14. This established business is an ancillary use within Walmart. With the recent changes in state law and the most recent amendment to the zoning ordinance regarding these types of establishments, the City Council did not grandfather the sale of any THC or hemp products. This CUP application requests to add the sale of Hemp to their existing business license.

Since a number of CUP requests have been submitted, the criteria regarding these types of establishments will be addressed for all cases in the following table:

				Required Distance			
	Business Name	Type	Requested Use	Religious Institution (>1,000 ft.)	Day Care Center (>1,000 ft)	School (>1,000 ft.)	CBD, Hemp, THC, and/or Tobacco Specialty Store (>5,000 ft.)
				Actual Distance			
CUP-02-2025	Hickory Market	Ancillary	THC	3,019	6,736	6,746	6,541

CUP-03-2025	PJ's Hop-In	Ancillary	Hemp/THC	1,523	3,982	1,173	540
CUP-04-2025	Ole 5 Vapor	Primary	Hemp/THC	2,355	5,740	873	5,866
CUP-05-2025	Maximum Vapor	Primary	Hemp/THC	2,177	6,018	1,832	>5,000
CUP-06-2025	Walmart	Ancillary	Hemp	1,718	3,153	2,764	907
CUP-07-2025	Delta Depot	Primary	Hemp/THC	1,259	588	1,299	5,866
CUP-08-2025	Kwick Mart	Ancillary	Hemp/THC	288	2,442	138	2,016

Since these are existing stores wishing to add hemp or THC to their existing licensing, there are a number of options with regard to the approval or denial of these CUP requests:

- 1) Full CUP approval for all CBD, Hemp, THC and Tobacco products;
- 2) CUP approval for just the Tobacco and CBD/Denial of the sale of Hemp and THC.
- 3) Denial of the CUP request for Hemp and THC but grandfather the sale of Tobacco and CBD with the grandfathered use staying nonconforming.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Location Map
2. Application

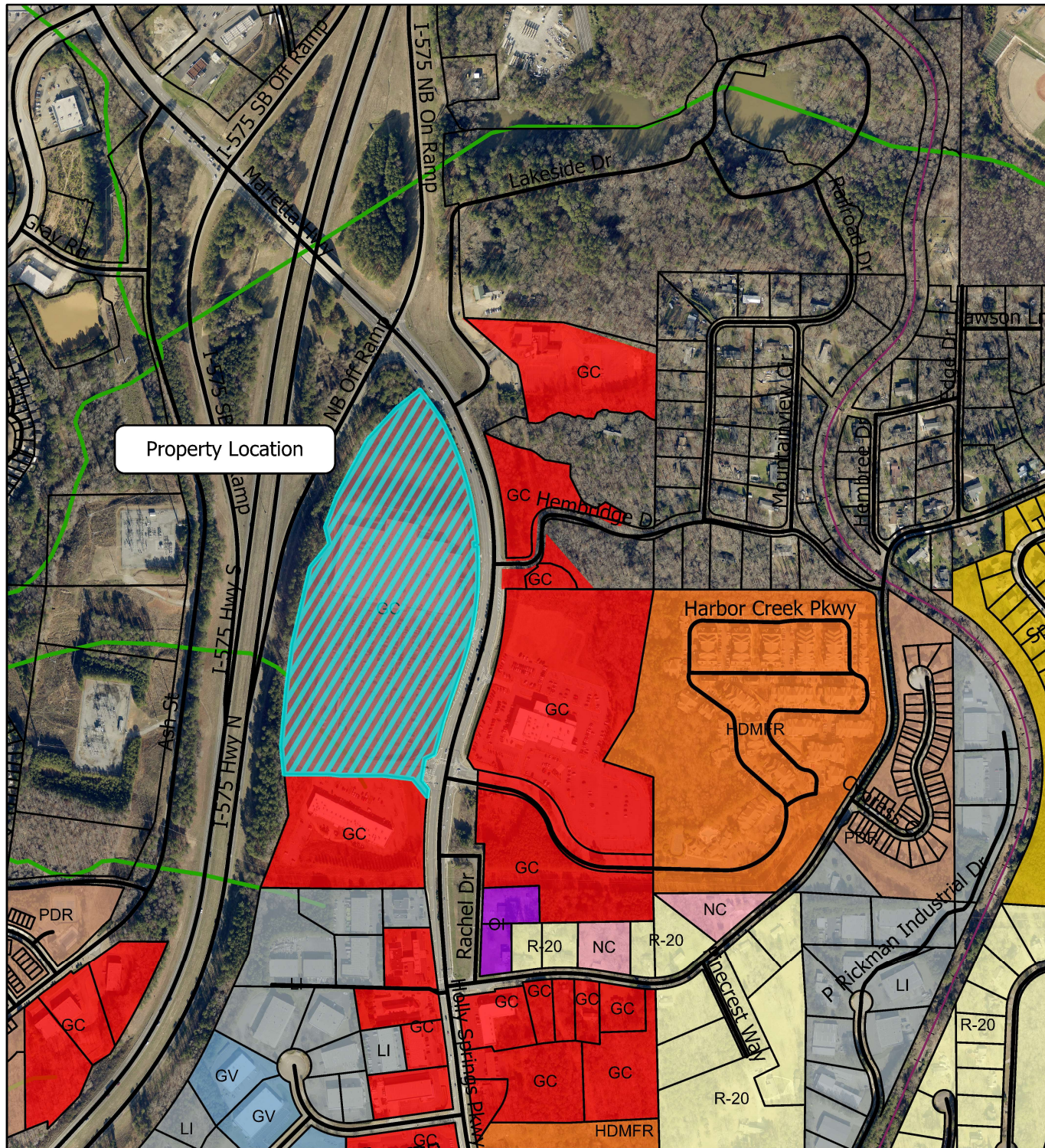
RECOMMENDATION:

The staff recommendation is to deny the Conditional Use Permit request to add Hemp to the business license, but grant a Conditional Use Permit for the grandfathered uses of Tobacco and CBD.

CONCURRENCES:

City Manager

CUP-06-2025 Location Map



—+— Railroad

Zoning 2025

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

Parcels_Oct 2025

Streets_Oct 2025

Streets_Oct 2025





MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures. See p. 7

APPLICATION MA- _____ APPLICATION **CUP-06-2025**

HEARING DATE _____ DATE OF APPLICATION _____

APPLICANT Dennie Blackburn-Senior Licensing Analyst OWNER Sarah Little-Assistant Secretary
(If other than applicant)

ADDRESS 1 Customer Drive, MS #0500 ADDRESS 1 Customer Drive, MS #0500
Bentonville, AR Bentonville, AR

ZIP CODE 72716-0500 PHONE 479-652-3811 ZIP CODE 72716-0500 PHONE 479-371-2081

EMAIL complic@wal-mart.com or dennie.blackburn@walmart.com EMAIL complic@wal-mart.com

SIGNATURE Dennie Blackburn SIGNATURE S Little

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

PRESENT ZONING DISTRICT(S) _____ REQUESTED ZONING DISTRICT _____

REQUESTED CONDITIONAL USE(S) _____

PROPERTY LOCATION/ADDRESS 2200 Holly Springs PKWY, Holly Springs, GA 30115

MAP NUMBER _____ PARCEL NUMBER(S) _____

LAND LOT(S) _____ DISTRICT(S) _____ SECTION(S) _____

ACREAGE _____ SEWAGE DISPOSAL TYPE _____ UTILITIES AVAILABLE _____

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST: _____
ORD-05-2025 We want to be in compliance, but we are not sure if we sell any hemp items at this time. A list can be
Provided at a later date if we find that we do sell these items.

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application:

- ☒ WARRANTY DEED
- ☐ TAX DOCUMENTATION Nancy is going to look this up for us
- ☐ SURVEY PLAT BY REGISTERED SURVEYOR Nancy is going to look this up for us
- ☐ ~~PLANS (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)
- ☐ N/A 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# _____	

ITEM REPORT

AGENDA ITEM NUMBER: IV.G.



FROM: Nancy Moon, Community Development Director

MEETING DATE: November 13, 2025

AGENDA ITEM: CUP-07-2025, applicant, Jonathan Davis, requests a conditional use permit for a CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 6244 Holly Springs Parkway, Suite A, Holly Springs, GA, tax parcel 106E of tax plat 15N16.

EXECUTIVE SUMMARY:

Applicant, Jonathan Davis, requests a conditional use permit for a CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 6244 Holly Springs Parkway, Suite A, Holly Springs, GA, tax parcel 106E of tax plat 15N16. This established business is a primary use operating under the business name of Delta Depot. With the recent changes in state law and the most recent amendment to the zoning ordinance regarding these types of establishments, the City Council did not grandfather the sale of any THC or hemp products. This CUP application requests to add the sale of Hemp and THC to their existing business license.

Since a number of CUP requests have been submitted, the criteria regarding these types of establishments will be addressed for all cases in the following table:

				Required Distance			
				Religious Institution (>1,000 ft.)	Day Care Center (>1,000 ft)	School (>1,000 ft.)	CBD, Hemp, THC, and/or Tobacco Specialty Store (>5,000 ft.)
	Business Name	Type	Requested Use	Actual Distance			
CUP-02-2025	Hickory Market	Ancillary	THC	3,019	6,736	6,746	6,541

CUP-03-2025	PJ's Hop-In	Ancillary	Hemp/THC	1,523	3,982	1,173	540
CUP-04-2025	Ole 5 Vapor	Primary	Hemp/THC	2,355	5,740	873	5,866
CUP-05-2025	Maximum Vapor	Primary	Hemp/THC	2,177	6,018	1,832	>5,000
CUP-06-2025	Walmart	Ancillary	Hemp	1,718	3,153	2,764	907
CUP-07-2025	Delta Depot	Primary	Hemp/THC	1,259	588	1,299	5,866
CUP-08-2025	Kwick Mart	Ancillary	Hemp/THC	288	2,442	138	2,016

Since these are existing stores wishing to add hemp or THC to their existing licensing, there are a number of options with regard to the approval or denial of these CUP requests:

- 1) Full CUP approval for all CBD, Hemp, THC and Tobacco products;
- 2) CUP approval for just the Tobacco and CBD/Denial of the sale of Hemp and THC.
- 3) Denial of the CUP request for Hemp and THC but grandfather the sale of Tobacco and CBD with the grandfathered use staying nonconforming.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Location Map
2. Application

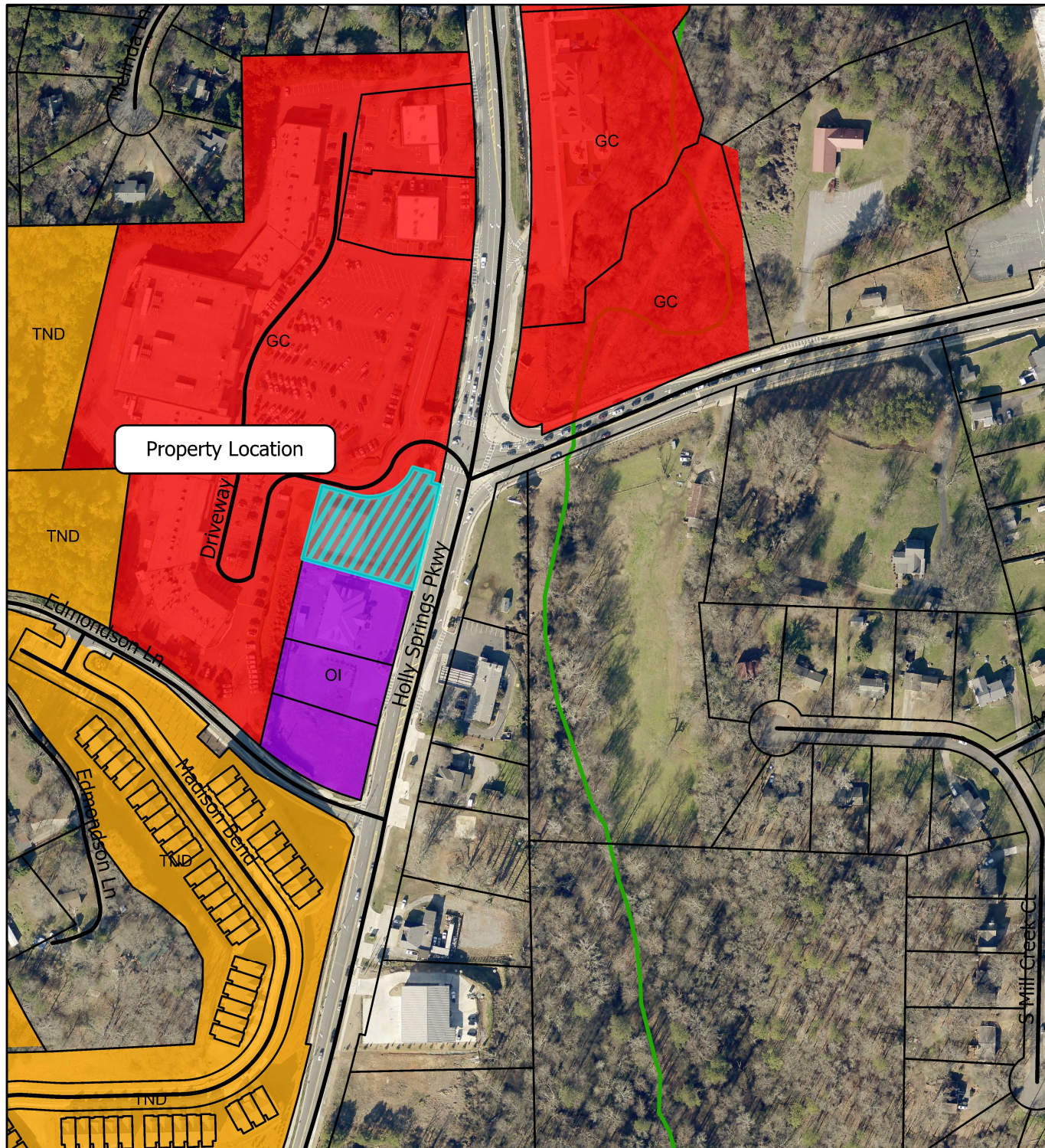
RECOMMENDATION:

The staff recommendation is to deny the Conditional Use Permit request to add Hemp and THC to the business license, but grant a Conditional Use Permit for the grandfathered uses of Tobacco and CBD.

CONCURRENCES:

City Manager

CUP-07-2025 Location Map



—+— Railroad

Zoning 2025

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

Parcels_Oct 2025

Streets_Oct 2025

Streets_Oct 2025



MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA- _____ APPLICATION **CUP--07-2025** _____
HEARING DATE _____ DATE OF APPLICATION _____
APPLICANT Jonathan Davis OWNER East Cherokee LLC
HOLLY SPRINGS PKWY (If other than applicant) _____
ADDRESS 6244 Old Hwy 5, Ste A ADDRESS 151 Bodman Place Suite 201
Holly Springs, GA 30188 Red Bank, NJ
ZIP CODE 30188 PHONE [REDACTED] ZIP CODE 07701 PHONE 732-398-6463
EMAIL deltadepot@yahoo.com EMAIL jtaylor@fnrpusa.com
SIGNATURE Jonathan Davis SIGNATURE Jannelle Taylor
APPLICANT OR REPRESENTATIVE MUST ATTEND MEETING OR APPLICATION WILL NOT BE CONSIDERED

PRESENT ZONING DISTRICT(S) _____ REQUESTED ZONING DISTRICT _____
REQUESTED CONDITIONAL USE(S) _____
PROPERTY LOCATION/ADDRESS _____
MAP NUMBER _____ PARCEL NUMBER(S) _____
LAND LOT(S) _____ DISTRICT(S) _____ SECTION(S) _____
ACREAGE _____ SEWAGE DISPOSAL TYPE _____ UTILITIES AVAILABLE _____
DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST: _____

(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# _____

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.
2. State the proposed business name, brand, flag, and/or franchise.
3. Explain in detail what services the proposed conditional use business will provide.
4. Has a business plan or model been completed for this proposed conditional use business?
5. Why was this specific location chosen for this proposed establishment?
6. What is the projected date that the proposed conditional use business will open?
7. How many employees are expected to work at the proposed conditional use business?
8. What are the expected hours of operation for the proposed conditional use business?
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?
10. Does the proposed conditional use business conform with the nearby uses already in existence?
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available?
12. Will the proposed conditional use business create a nuisance or disturbance to 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?
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?
15. Will the business have adequate facilities and parking to accommodate the proposed use?
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?

Jonathan Davis
Delta Depot

Attachment B

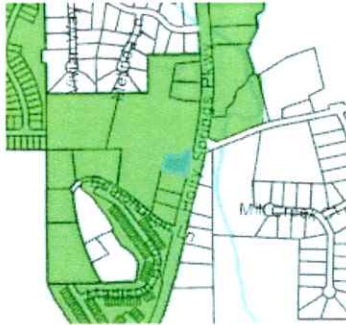
1. The proposed complies with all of the stipulations by use.
2. Delta Depot
3. Resale of hemp & THC products.
4. yes
5. Busy location
6. We opened in 2022
7. 2
8. Mon-Fri 11am-8pm, Sat 11am-7pm, Sun closed
9. Hemp license from the Dept of Agriculture. Yes, we possess one.
10. yes
11. yes
12. NO
13. NO
14. yes
15. yes
16. N/A

Geocortex Essentials Parcel Report

Cherokee County, GA

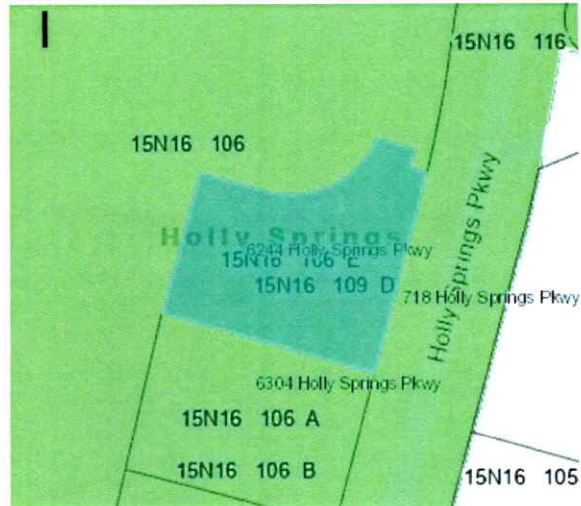
TIN: 15N16 106 E

Report generated 9/24/2025 1:47:27 PM



Vicinity Map

1: 17,304.59



Tax parcel highlighted in cyan

1: 2,044.47

Tax Parcel Information

Owner: EAST CHEROKEE LLC

Property Address: 6244 Holly Springs Pkwy, Woodstock 30188

Subdivision:

TIN: 15N16 106 E

PIN: 15-0775-0056

Mailing Address: 151 BODMAN PL, RED BANK, NJ 07701

Acreage: 0.835

Lot #: 1

PB/PG:

DB/PG:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

ITEM REPORT

AGENDA ITEM NUMBER: IV.H.



FROM: Nancy Moon, Community Development Director

MEETING DATE: November 13, 2025

AGENDA ITEM: CUP-08-2025, applicant, Tanisha Damani, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty for property located at 2619 Holly Springs Parkway, Holly Springs, GA, tax parcel 001 of tax plat 93N00.

EXECUTIVE SUMMARY:

Applicant, Tanisha Damani, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty for property located at 2619 Holly Springs Parkway, Holly Springs, GA, tax parcel 001 of tax plat 93N00. This established business is an ancillary use within the Holly Kwick Mart. With the recent changes in state law and the most recent amendment to the zoning ordinance regarding these types of establishments, the City Council did not grandfather the sale of any THC or hemp products. This CUP application requests to add the sale of Hemp and THC to their existing business license.

Since a number of CUP requests have been submitted, the criteria regarding these types of establishments will be addressed for all cases in the following table:

				Required Distance			
	Business Name	Type	Requested Use	Religious Institution (>1,000 ft.)	Day Care Center (>1,000 ft)	School (>1,000 ft.)	CBD, Hemp, THC, and/or Tobacco Specialty Store (>5,000 ft.)
				Actual Distance			
CUP-02-2025	Hickory Market	Ancillary	THC	3,019	6,736	6,746	6,541

CUP-03-2025	PJ's Hop-In	Ancillary	Hemp/THC	1,523	3,982	1,173	540
CUP-04-2025	Ole 5 Vapor	Primary	Hemp/THC	2,355	5,740	873	5,866
CUP-05-2025	Maximum Vapor	Primary	Hemp/THC	2,177	6,018	1,832	>5,000
CUP-06-2025	Walmart	Ancillary	Hemp	1,718	3,153	2,764	907
CUP-07-2025	Delta Depot	Primary	Hemp/THC	1,259	588	1,299	5,866
CUP-08-2025	Kwick Mart	Ancillary	Hemp/THC	288	2,442	138	2,016

Since these are existing stores wishing to add hemp or THC to their existing licensing, there are a number of options with regard to the approval or denial of these CUP requests:

- 1) Full CUP approval for all CBD, Hemp, THC and Tobacco products;
- 2) CUP approval for just the Tobacco and CBD/Denial of the sale of Hemp and THC.
- 3) Denial of the CUP request for Hemp and THC but grandfather the sale of Tobacco and CBD with the grandfathered use staying nonconforming.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Location Map
2. Application

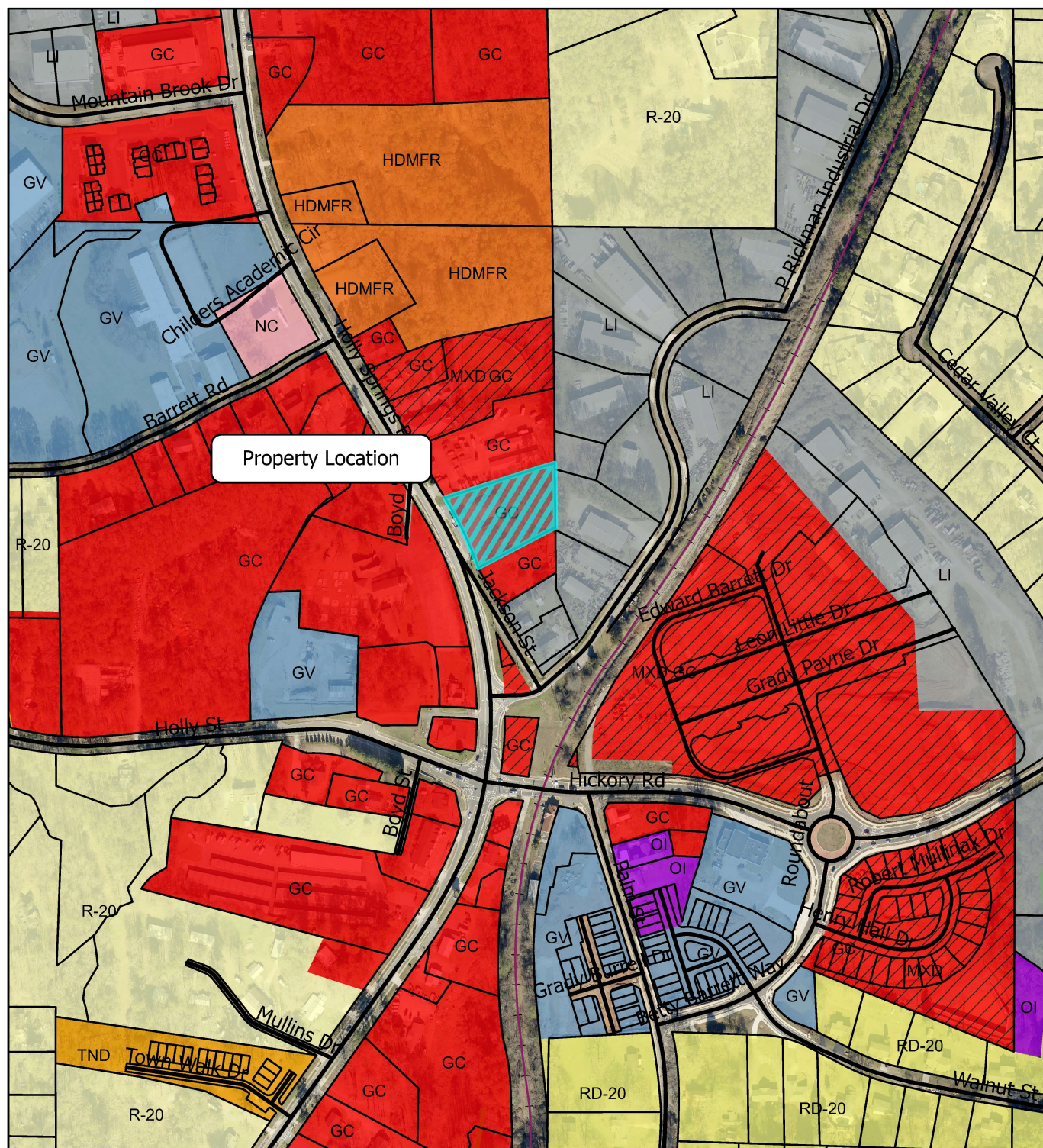
RECOMMENDATION:

The staff recommendation is to deny the Conditional Use Permit request to add Hemp and THC to the business license, but grant a Conditional Use Permit for the grandfathered uses of Tobacco and CBD.

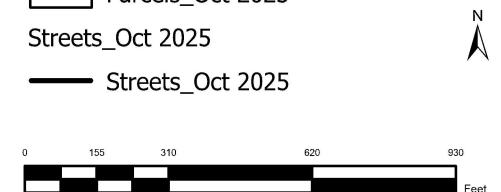
CONCURRENCES:

City Manager

CUP-08-2025 Location Map



- +— Railroad
- Zoning 2025
- 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
- Parcels_Oct 2025
- Streets_Oct 2025





MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA- _____ APPLICATION **CUP-08-2025**
HEARING DATE _____ DATE OF APPLICATION 9/12/2025
APPLICANT _____ OWNER HOLLY KWIJK MART INC.
(If other than applicant) _____
ADDRESS _____ ADDRESS 249 HOLLY SPRINGS PKWY
HOLLY SPRINGS, GA
ZIP CODE _____ PHONE _____ ZIP CODE 30115 PHONE [REDACTED]
EMAIL _____ EMAIL [REDACTED]
SIGNATURE _____ SIGNATURE [Signature]

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

PRESENT ZONING DISTRICT(S) _____ REQUESTED ZONING DISTRICT _____

REQUESTED CONDITIONAL USE(S) CUP FOR RETAIL

PROPERTY LOCATION ADDRESS _____

MAP NUMBER 93N00 PARCEL NUMBER(S) 001

LAND LOT(S) _____ DISTRICT(S) _____ SECTION(S) _____

ACREAGE 1.13 SEWAGE DISPOSAL TYPE SEptic UTILITIES AVAILABLE ELECTRIC / WATER

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST: _____

CUP FOR RETAIL

(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# _____

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? YES

(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property? N/A

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned? N/A

(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? N/A

(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)? N/A

(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? N/A

(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?

N/A

(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?

N/A

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: 2500 sq. ft.

Number of stories: 1

Total number of employees: 2

Exterior façade: Back

Anticipated start date: N/A

Anticipated completion date: N/A

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.

09/12/25
DATE

TANISHA DAMANT
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. *YES*
2. State the proposed business name, brand, flag, and/or franchise. *HOLLY KWIK MART INC*
3. Explain in detail what services the proposed conditional use business will provide. *RETAIL (LESS TH 10Y.)*
4. Has a business plan or model been completed for this proposed conditional use business? *N/A*
5. Why was this specific location chosen for this proposed establishment?
6. What is the projected date that the proposed conditional use business will open? *ALREADY OPEN*
7. How many employees are expected to work at the proposed conditional use business? *TWO EMPLOYEES*
8. What are the expected hours of operation for the proposed conditional use business? *6 AM - 10 PM*
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? *TOBACCO LICENSE YES*
10. Does the proposed conditional use business conform with the nearby uses already in existence? *NO*
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available? *NO*
12. Will the proposed conditional use business create a nuisance or disturbance to nearby or adjacent properties? *NO*
13. Is the proposed conditional use business a service that is similar or will overlap a nearby establishment already in existence? *NO*
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? *N/A*
15. Will the business have adequate facilities and parking to accommodate the proposed use? *YES*
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? *NO*

City of Holly Springs
Planning and Zoning Commission Public Hearing Minutes
August 14, 2025

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

Commission Members Not Present: None.

Elected Officials Present: None.

Staff Present: Community Development Director Nancy Moon, Laura Rollins with the City Attorney's Office, Captain Casey Barton, Community Development Coordinator Tracey Chambers.

I. CALL TO ORDER

Chairman Dekker called the Planning and Zoning Meeting to order.

II. PUBLIC HEARING RULES

Commission Member Adams read the public hearing rules.

III. OLD BUSINESS/PUBLIC HEARING

None.

IV. NEW BUSINESS/PUBLIC HEARING

- A. **V-02-2025**, applicant, Wilson's Classic Homes, requests a variance from the setback requirements of the Holly Springs Zoning Ordinance for property located off of Alaina Road, Holly Springs, GA, tax parcel 101 of tax plat 15N20J.

Community Development Director Nancy Moon addressed the Commission and said that the lot is in the Sagebrooke Subdivision. Ms. Moon stated that the lot is an odd shaped lot and the driveway location is constrained by a catch basin that is to be converted to a drop inlet. Ms. Moon said that the variance is requested to fit the house on the lot by allowing a street side setback of 17.2' instead of the required 20', and a rear setback of 11.3' instead of the required 20'. Ms. Moon said that the house backs up to green space, so no other homes will be impacted.

The applicant did not speak.

Chairman Dekker made a motion to approve. Vice Chairman Grayeski seconded the motion. Motion carried. Yes 5, No 0, Abstained 0.

- B. **ORD-5-2025**, amendment to the Holly Springs Zoning Ordinance, Article 2: Interpretations and Definitions to amend definitions and Article 5: District Uses and Regulations to amend permitted uses and conditional uses.

Community Development Director Nancy Moon told the Commission that the City Council requested that more restrictions be made to the ordinance. Ms. Moon said that the revision to the ordinance would treat all shops and stores that sell hemp and THC products the same, whether the establishment is a smoke/vape store, or a store that has the products as ancillary items. Ms. Moon added that upon the City Council's approval, any store that wanted to sell hemp and THC products would have to file for a conditional use permit; however, stores that have existing inventory will have until the end of September to sell them.

Commission Member Adams made a motion to approve. Vice Chairman Grayeski seconded the motion. Motion carried. Yes 5, No 0, Abstained 0.

C. July 10, 2025 Planning and Zoning Public Hearing Meeting minutes.

Commission Member Norris made a motion to approve the minutes. Vice Chairman Grayeski seconded the motion. Motion carried. Yes 5, No 0, Abstained 0.

D. July 24, 2025 Planning and Zoning Public Hearing Meeting minutes.

Chairman Dekker made a motion to approve the minutes. Commission Member Adams seconded the motion. Motion carried. Yes 5, No 0, Abstained 0.

V. REPORTS/COMMENTS

No reports or comments were given.

VI. ADJOURNMENT

Chairman Dekker made a motion to adjourn the meeting. Commission Member Adams seconded the motion. Motion carried. Yes 5, 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
October 23, 2025**

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

Commission Members Not Present: Commission Member Andy Norris.

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

None.

IV. NEW BUSINESS

- A. **MA-08-2025**, applicant EC New Vision Georgia, LLC requests rezoning of 3.97 +/- acres located off of Hickory Road, Holly Springs, GA, tax parcel 238 of tax plat 15N14, from LI, Light Industrial, to TND, Traditional Neighborhood Development.

Community Development Director Nancy Moon told the Commission that developer EC New Vision is purchasing the Thomas Concrete business off of Hickory Road. Ms. Moon said that the developer is proposing to build 17 detached units to join the Courtyards of Red Bud neighborhood.

- B. **CUP-02-2025**, applicant, Akbar Bhayani, requests a conditional use permit for a CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 727 Hickory Road, Holly Springs, GA, tax parcel 245 of tax plat 15N14.

Community Development Director Nancy Moon informed the Commission that this establishment has applied for a conditional use permit to allow the sale of CBD, Hemp, and THC in addition to tobacco. Ms. Moon said that the recent ordinance that was approved by the City Council requires an approved conditional use permit to allow these items to be sold in the City. Ms. Moon also stated that the November 13th agenda packet will contain a chart that reflects the distances between the stores.

- C. **CUP-03-2025**, applicant, Prayog Inc., requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2240 Holly Springs Parkway, Suite A, Holly Springs, GA, tax parcel 097H of tax plat 15N14.

Community Development Director Nancy Moon informed the Commission that this establishment has applied for a conditional use permit to allow the sale of CBD, Hemp, and THC in addition to tobacco. Ms. Moon said that the recent ordinance that was approved by the City Council requires an approved conditional use permit to allow these items to be sold in the City. Ms. Moon also stated that the November 13th agenda packet will contain a chart that reflects the distances between the stores.

- D. **CUP-04-2025**, applicant, James M. O'ourke, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 5335 Holly Springs Parkway, Suite 103, Holly Springs, GA, tax parcel 081 of tax plat 15N15A.

Community Development Director Nancy Moon informed the Commission that this establishment has applied for a conditional use permit to allow the sale of CBD, Hemp, and THC in addition to tobacco. Ms. Moon said that the recent ordinance that was approved by the City Council requires an approved conditional use permit to allow these items to be sold in the City. Ms. Moon also stated that the November 13th agenda packet will contain a chart that reflects the distances between the stores.

- E. **CUP-05-2025**, applicants, Steven Hershey and Jacob Menard, request a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty for property located at 6115 Hickory Flat Highway, Suite 104, Holly Springs, GA, tax parcel 155F of tax plat 15N26.

Community Development Director Nancy Moon informed the Commission that this establishment has applied for a conditional use permit to allow the sale of CBD, Hemp, and THC in addition to tobacco. Ms. Moon said that the recent ordinance that was approved by the City Council requires an approved conditional use permit to allow these items to be sold in the City. Ms. Moon also stated that the November 13th agenda packet will contain a chart that reflects the distances between the stores.

- F. **CUP-06-2025**, applicant, Dennie Blackburn, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2200 Holly Springs Parkway, Holly Springs, GA, tax parcel 301 of tax plat 15N14.

Community Development Director Nancy Moon informed the Commission that this establishment has applied for a conditional use permit to allow the sale of CBD, Hemp, and THC in addition to tobacco. Ms. Moon said that the recent ordinance that was approved by the City Council requires an approved conditional use permit to allow these items to be sold in the City. Ms. Moon also stated that the November 13th agenda packet will contain a chart that reflects the distances between the stores.

- G. **CUP-07-2025**, applicant, Jonathan Davis, requests a conditional use permit for a CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 6244 Holly Springs Parkway, Suite A, Holly Springs, GA, tax parcel 106E of tax plat 15N16.

Community Development Director Nancy Moon informed the Commission that this establishment has applied for a conditional use permit to allow the sale of CBD, Hemp, and THC in addition to tobacco. Ms. Moon said that the recent ordinance that was approved by the City Council requires an approved conditional use permit to allow these items to be sold in the City. Ms. Moon also stated that the November 13th agenda packet will contain a chart that reflects the distances between the stores.

- H. **CUP-08-2025**, applicant, Tanisha Damani, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty for property located at 2619 Holly Springs Parkway, Holly Springs, GA, tax parcel 001 of tax plat 93N00.

Community Development Director Nancy Moon informed the Commission that this establishment has applied for a conditional use permit to allow the sale of CBD, Hemp, and THC in addition to tobacco. Ms. Moon said that the recent ordinance that was approved by the City Council requires an approved conditional use permit to allow these items to be sold in the City. Ms. Moon also stated that the November 13th agenda packet will contain a chart that reflects the distances between the stores.

V. REPORTS/COMMENTS

Ms. Moon asked the Commission if the earlier meeting time of 6:00 p.m. would be possible for the 2026 year. The Commission agreed that 6:00 p.m. would be an acceptable time for the Planning and Zoning meetings next year.

VI. ADJOURNMENT

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

Respectfully submitted.

Adrian Dekker, Chairman

Attest:

Tracey Chambers
Community Development Coordinator