



Planning and Zoning Commission
48-Hour Action Summary
**City Hall: 56 Malone Street,
Fairburn, GA 30213
Tuesday, December 3, 2024
7:00 p.m.**

LaVone Deavers, Chair
Jason Jones, Vice Chair
Lina Parker
Elizabeth Echols
Tony Smith

Planning Director: Denise Brookins
Planner: Chancellor Felton
City Attorney: Valerie Ross

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- A. Call to Order:** The meeting was called to order by Chairwoman Deavers.
- B. Determination of a Quorum:** A quorum was determined, and the meeting proceeded.
- C. Pledge of Allegiance**
- D. Approval of the Meeting Agenda:**
1. Commissioner Echols made a motion to amend and approve the agenda. Commissioner Smith seconded.
THE MOTION CARRIED.
- E. Approval of the Meeting Minutes:**
1. Commissioner Parker made a motion to approve the November 5, 2024, minutes. Commissioner Echols seconded.
THE MOTION CARRIED.
- F. Public Comments:**
1. Chairwoman Deavers opened the floor to general, public comments.
 2. Chairwoman Deavers closed the floor to general, public comments.
- G. Old Business:**
1. **Rezoning & Concurrent Variance**
Applicant: KBD FAIRBURN, LLC c/o Steven L. Jones, Taylor English Durma LLP
Property Owner: KBD FAIRBURN, LLC
Location: 5650 Milam Road (Parcel ID # 09F020200130436)
Request: 1) To rezone the Subject Parcel from C-2 (General Commercial Zoning District) to PD (Planned Development Zoning District). 2) To reduce the Minimum Parking Spaces from 2 Parking Spaces per Dwelling Unit to 1.5 Parking Spaces per Dwelling Unit (Chapter 80 Zoning, Article IX Off-Street Parking, Loading, and Landscape Requirements, Section 337 Off-street parking requirements, b schedule, 1).
 - a. Chairwoman Deavers introduced the case. Chancellor Felton presented the case on behalf of Staff. Staff made a recommendation to table. Chairwoman Deavers opened the floor for the Commission to ask Staff questions.

b. The applicant presented to the Commission.
 Commissioner Echols motioned to **TABLE**. Commissioner Parker seconded.
THE MOTION CARRIED.

H. Public Hearings: None.

I. New Business:

1. Comprehensive Land Use Amendment (CLUP)

Applicant	Property Owner	Address	Tax Parcel
Bohannon Road Venture, LLC	Richard L. Benton	8125 Bohannon Drive	09F010000110654
Bohannon Road Venture, LLC	Catherine Benton	8145 Bohannon Road	09F010000110662
Bohannon Road Venture, LLC	Catherine Benton	8145 Bohannon Road	09F010000110365
Bohannon Road Venture, LLC	Brian Dickson	8155 Bohannon Drive Rear Lot	09F010000114227
Bohannon Road Venture, LLC	Richard L. Benton	8155 Bohannon Drive	09F010000110100
Bohannon Road Venture, LLC	Jonathan William Glisson	8156 Bohannon Drive	09F010000110571
Bohannon Road Venture, LLC	Guy W. Lassiter & Phyllis M. Lassiter	8355 Bohannon Road	09F010000110266
Bohannon Road Venture, LLC	Aaron Mathew Shinstine	8365 Bohannon Road	09F010000110647
Bohannon Road Venture, LLC	Abigail Shinstine (Bottlerocket Enterprises, LLC)	9301 Bohannon Road	09F010000110563
Bohannon Road Venture, LLC	Edward Shinstone	8385 Bohannon Drive	09F010000110548

Request: To change the Comprehensive Plan Land Use Designation from Rural Residential and Greenspace to Office-Industrial.

- a. Chairwoman Deavers introduced the case. Denise Brookins presented the case on behalf of Staff. Staff made a recommendation for conditional approval. Chairwoman Deavers opened the floor for the Commission to ask Staff questions.
- b. Vice Chairman Jones asked if this future land use designation change will open up this land to additional industrial uses other than data centers. Director Brookins said yes. Vice Chairman Jones asked what other light industrial uses are there. Director Brookins replied warehouses and light industrial factories.
- c. Commissioner Echols asked if this was the second data center off of Bohannon Road. Director Brookins said that the other data center is on Gullatt Road.
- d. Commissioner Smith asked if there is a buffer zone. Director Brookins said that there is a road separating the subject parcels from residential subdivisions.

- e. The applicant presented to the Commission.
- f. Vice Chairman Jones asked who would operate the data center. The applicant said there would be a multitude of operators.
- g. Vice Chairman Jones asked if there was enough electricity to support the development. The applicant said that they are in talks with different service providers.
- h. Chairwoman Deavers asked why does the applicant want to do business in Fairburn. The applicant said that they have done business before in Fairburn, have an understanding of the community, and cares about Fairburn.
- i. Commissioner Smith asked if there was engagement with the neighboring HOA. The applicant said yes. Commissioner Smith asked how many people were in the engagement meetings. The applicant said 3-4 people.
- j. Commissioner Echols asked how could the applicant expect a good turnout at engagement meetings when notification by the applicant was given on a Friday and the meeting was on that upcoming Tuesday. The applicant said that the meeting in question was a last-minute meeting due to the new requirements of the City for the newly established process of changing a future land use designation. Commissioner Echols asked how many people were at the first meeting. The applicant said 3-4 people.
- k. Vice Chairman Jones asked for clarification on what the Commission was voting on. Director Brookins clarified.

Vice Chairman Jones motioned to recommend **CONDITIONAL APPROVAL**. Commissioner Smith seconded.

THE MOTION CARRIED.

2. Rezoning and Use Permit

Applicant	Property Owner	Address	Tax Parcel
Bohannon Road Venture, LLC	Richard L. Benton	8125 Bohannon Drive	09F010000110654
Bohannon Road Venture, LLC	Catherine Benton	8145 Bohannon Road	09F010000110662
Bohannon Road Venture, LLC	Catherine Benton	8145 Bohannon Road	09F010000110365
Bohannon Road Venture, LLC	Brian Dickson	8155 Bohannon Drive Rear Lot	09F010000114227
Bohannon Road Venture, LLC	Richard L. Benton	8155 Bohannon Drive	09F010000110100
Bohannon Road Venture, LLC	Jonathan William Glisson	8156 Bohannon Drive	09F010000110571
Bohannon Road Venture, LLC	Guy W. Lassiter & Phyllis M. Lassiter	8355 Bohannon Road	09F010000110266
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Bohannon Road Venture, LLC	Abigail Shinstine (Bottlerocket Enterprises, LLC)	9301 Bohannon Road	09F010000110563
Bohannon Road Venture, LLC	Edward Shinstone	8385 Bohannon Drive	09F010000110548

Request: To rezone subject parcels from AG (Agricultural Zoning District) to M-1 (Light Industrial Zoning District). To approve the data center use permit.

- a. Chairwoman Deavers introduced the case. Denise Brookins presented the case on behalf of Staff. Chairwoman Deavers opened the floor for the Commission to ask Staff questions.
- b. Commissioner Smith asked for clarification on the role of the Planning and Zoning Commission versus the Mayor and City Council and if Staff supports the request. Director Brookins clarified and stated that if Staff cannot support a request, conditions may be given, if the Commission chooses to approve.
- c. Vice Chairman Jones asked if a 100-foot buffer will be established. The applicant said yes.
- d. Commissioner Smith asked if the applicant will be willing to meet all recommended zoning conditions. The applicant said that they would try.

Commissioner Echols motioned to not recommend **CONDITIONAL APPROVAL**. Commissioner Smith seconded.

Vice Chairman Jones went against the motion. Commissioner Parker went against the motion.

Chairwoman Deavers motioned to not recommend **CONDITIONAL APPROVAL**.

THE MOTION CARRIED.

3. **Final Plat**

Applicant: DRB Group Georgia, LLC

Property Owner: DRB Group Georgia, LLC

Location: 294 Elder Street (09F171000670178), 296 Elder Street (09F171000670244),

0 Strickland (09F171000670137), 246 Strickland Street

(09F171000670129), 260 Elder Street (09F171100670029), and 270

Elder Street (09F171100670011)

Request: To approve the final plat.

- a. Chairwoman Deavers introduced the case. Denise Brookins presented the case on behalf of Staff. Staff made a recommendation for approval. Chairwoman Deavers opened the floor for the Commission to ask Staff questions.
- b. The applicant presented to the Commission.
- c. Vice Chairman Jones asked how many homes will be in the new subdivision. The applicant stated 73 homes.

Vice Chairman Jones motioned to recommend **APPROVAL**. Commissioner Echols seconded.

THE MOTION CARRIED.

4. **Final Plat and Dedication**

Applicant: Douglas A. Shumate

Property Owner: OCP FAIRBURN LLC

Location: Renaissance Parkway (consisting of approximately 2.741 acres)

Request: The applicant is requesting approval to dedicate without limitation all those described roads, utility easements,

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water easements, sewer easements, gas easements, storm water easements and related infrastructure.

- a. Chairwoman Deavers introduced the case. Denise Brookins presented the case on behalf of Staff. Staff made a recommendation for approval. Chairwoman Deavers opened the floor for the Commission to ask Staff questions.

Commissioner Parker motioned to recommend **APPROVAL**. Commissioner Echols seconded.

THE MOTION CARRIED.

5. **Concept Plan**

Applicant: Portman Residential, LLC

Property Owner: Portman Residential, LLC

Request: To approve the concept plan.

- a. Chairwoman Deavers introduced the case. Denise Brookins presented the case on behalf of Staff. Staff made a recommendation for approval. Chairwoman Deavers opened the floor for the Commission to ask Staff questions.
- b. Vice Chairman Jones asked if all conditions had been met. Director Brookins said so far, yes, but the concept plan has to be approved to finish meeting all of the conditions.

Vice Chairman Jones motioned to recommend **CONDITIONAL APPROVAL**. Commissioner Smith seconded.

THE MOTION CARRIED.

J. **Other Business:** None.

K. **Adjournment:**

1. Commissioner Smith motioned to adjourn the public meeting at 8:24 pm. Commissioner Parker seconded.

THE MOTION CARRIED.