

Sarah Winner stated that she had a question for Brad Townsend. In the third condition where they talk about any expansion or relocation must be approved by the mayor and city council. Would that not depend upon what zoning area they decided to go into? Or is it always going to be a conditional zoning based on their type of business regardless of anywhere in Roswell? So that condition would be required?

Brad Townsend stated that this type of operation would only be allowed in the industrial zoning designation, which in that case makes it a conditional type of operation.

Susan Baur asked if there were any other questions for staff.

Loren Conrad asked Brad Townsend if he feels the need to have anything in that conditional use no. 1, conditioned. Do they need that at all? Brad Townsend stated that he thinks it can be removed.

Mark Renier stated that he has a procedural question for Brad Townsend. Can the conditional use be pulled if they become out of compliance of EPD standards for guidelines if there is nothing in the conditions that say something to that effect? Townsend stated that if the Commission wants that to be a standard in which they have to maintain he would recommend that they put it in as a condition. Renier recommended that they change one to do that. Townsend stated that would be fine with him.

Sarah Winner suggested that any company that thinks they could have their ability to have operations ceased would make it very unattractive to do business in Roswell. They are going to have to be in compliance and if they are not they are certainly going to be penalties through the state and processes by which they are penalized. But to tell someone the city is going to change their zoning and force them to shut down their business if they are in violation of anything, she thinks is just too generic. Winner would not want to do business in that environment.

Loren Conrad stated that he thinks also that this is a zoning issue. If they give conditional use then it is conditional use. Enforcement of code is something else. They have gotten into this before and he thinks the Commission is overstepping its bounds if they go into code enforcement.

Winner does not think one can change zoning as a penalty for someone violating policies implemented and required by the state. She thinks that could be a real slippery slope for the Commission to be on.

Susan Baur asked if there were any other questions for the applicant or from staff.

Cheryl Greenway asked if they need to put in wording any condition on this relating to the specific types of production being done. In other words, she wants to be careful that they don't approve this for a conditional use and they can then start making some different type of battery or something that is an entirely type of risk.

Brad Townsend stated that he did not believe they need a condition. The approval is based on their application and what they represented they were going to do.

Greenway clarified that it would tie back to the applicant's representation of what they were going to make. Townsend stated it would tie to their representation of they were proposing. He thinks that is why they put the expansion or relocation. If they do expand or relocate it may include a different component or a different process or procedure, which they are saying, "okay, mayor and city council needs to approve that new process or procedure that the applicant did not identify as their original application."

Susan Baur stated that if there were no further questions for staff or for the applicant the Commission can have their discussion and hear a motion.

### **Motion**

Loren Conrad made a motion to approve CU09-02 with conditions as stated except drop condition 1 and change condition 2 to read: "the location of the business must be located within 1150 Northmeadow Parkway." Condition 3 will stay as is. They just have 2 and 3 remaining and maybe renumber them 1 and 2.

Brad Townsend stated that they could do that.

Laura Light seconded the motion.

The motion was approved unanimously. This will be passed forward to mayor and city council for final decision.

Loren Conrad stated that he would like to add his appreciation to the applicant or bringing this kind of business into Roswell. He thinks this is a good, clean business and it might blossom into other things, too.

Laura Light stated that she would like to reiterate that. She has been on the Commission much longer than she cares to admit. They have not had a light manufacturing like this come to the city of Roswell. This company has offices in Alpharetta and could have easily gone to Alpharetta and they are applying to Roswell. She thinks that is fantastic and she hopes that they will bring all sorts of people from out of state to come and look at Roswell, GA. She thinks it is exciting



because they haven't had this type of thing. Hopefully it will be the start of maybe something new that will attract other businesses that are like-minded. Hopefully the Commission has made it easy on the applicant tonight and it will be easy for the mayor and city council, those that will be reading these minutes. She hopes that they make it easy for them so that the applicant's business can expand and grow.

### **APPROVAL OF MINUTES**

Cheryl Greenway made a motion to approve the minutes from the July 21, 2009 meeting. Laura Light seconded the motion.

The minutes were approved 5-0-1. Loren Conrad was not present at that meeting.

### **ADJOURN:**

The meeting adjourned at 8:15 p.m.

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Susan Baur, chairman

CC: mayor and city council  
community development  
applicant's files

 **DRAFT**