

CITY COUNCIL
GIL MCDOUGAL, MAYOR
MICHAEL YOUNG, MAYOR PRO-
TEM
DANNY CARTER
SHIRLEY MARCHMAN
LESLIE MCPHERSON
MATTHEW MONTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID
MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
770.459.7000 | VILLARICA.ORG

MAYOR & COUNCIL MEETING AGENDA

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street
May 11, 2021 | 6:00 PM

Meeting Call to Order (Mayor Gil McDougal)

Invocation (Detective Blake Terry)

Pledge of Allegiance (Officer Chase Gordy)

Ceremonial Presentations (Mayor & Council)

- Employee Anniversaries - Dorothy Sue Worthan - 15 Years Senior Center
- Proclamation - National Police Week

Adoption of the Agenda (Mayor Gil McDougal)

Public Comment (We ask that you sign in for Public Comment before the meeting begins. Please state your Name and Address for the record and limit your comments to three minutes)

Council Updates (Subjects of General Interest and Concern)

A. Consent Agenda

1. Ordinance to Create a Sidewalk Account.
2. Purchase of Traffic Calming Radar Signs - Punkintown Road.
3. Replace an Existing Member of Convention and Visitors Bureau Board
4. 2021 Downtown Development Authority Board Appointment
5. Fill Vacancy on the Library Board
6. City Employee Discount for Parks, Recreation and Leisure Programs
7. FY 2021 Budget Amendments - #124 - 131
8. Election of GMA's District 4 Officers.
9. Increase in GFL Rates.
10. Increase in Sanitation Rates
11. Approval of Professional Services Agreement Agreement With Croy Engineering, LLC.

12. Approval of Task Order Number One With Croy Engineering, LLC.
13. Approval of Task Order Number Two With Croy Engineering, LLC.
14. Approval of Supplemental Cyber Liability Insurance Through Crum and Forrester
15. Establish the Qualifying Dates and Early Voting Dates for the General Election to be Held on Tuesday, November 2, 2021
16. Approve Intergovernmental Agreement with Douglas County for Tax Collection through the Tax Commissioner's Office.

B. Governing Body (Mayor Gil McDougal)

1. Discussion of Cover Sheets Used for Board Member Appointments. (Councilwoman Leslie McPherson)
2. Approval of April 13, 2021 Regular City Council Meeting Minutes.

C. Community Development (Bobby Elliott, Director)

1. RA-01-21 - Parcel #: V02 00700212 - Hwy 61 and Hwy 101 (Industrial Blvd) at Leggett Drive and Public Hearing. (Ronald Johnson, Planning & Zoning Specialist)
2. RA-02-21 - Parcel#: V03 0100013 - 1030 Third Street and Public Hearing. (Ronald Johnson, Planning & Zoning Specialist)
3. Amendment to Article 3 to the Villa Rica Zoning Ordinance and Public Hearing. (Chris Montesinos, Deputy Director)
4. VA-05-21: Variance Request for ServPro, Parcel #01470250019 - Veteran's Memorial Highway and Public Hearing. (Ronald Johnson, Planning and Zoning Specialist)
5. Ordinance to Designate Downtown Villa Rica Historic District and Public Hearing. (Ronald Johnson, Planning & Zoning Specialist)

D. Economic Development (Janet Chumley, Manager)

1. 2021 Alcohol License Agreements with The Olive Tree at The MILL Amphitheater

E. Utilities (Pete Zorbanos, Director)

1. Resolution of Support for Changes to State Highway System and Acceptance of Two Roadways

F. Finance (Jennifer Hallman, Director)

1. Financial Update: March 2021

G. City Manager's Report

Adjournment



CITY OF VILLA RICA

City Council Packet

SUBJECT: Ordinance to Create a Sidewalk Account

CITY COUNCIL AGENDA DATE: May 11, 2021

DATE: April 26, 2021

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: The purpose of this ordinance revision is to create a Sidewalk Account to allow funds to be collected in lieu of constructing sidewalks in areas that would not benefit from sidewalk construction.

BACKGROUND: Subsection 304.10 of Section 300 of the City of Villa Rica Development Regulations requires that all new development projects construct sidewalks along all existing or new public or private streets. It is recognized that in some exceptional cases, construction of sidewalks in certain locations would not contribute to the City's sidewalk network nor serve as a pedestrian amenity.

This ordinance creates a fund where in these exceptional cases, funds in lieu of actual construction of sidewalks can be collected and used in more suitable areas in the City where sidewalk networks exist or are planned for future construction.

STAFF RECOMMENDATION: Staff recommends approval.

IMPACT:

MOTION: I move to adopt this ordinance that revises Subsection 304.10 of Section 300 of the City of Villa Rica Development Regulations by creating a Sidewalk Bank to allow the City to collect funds in lieu of sidewalks that do not contribute to the City's sidewalk network or future sidewalk construction plans.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF VILLA RICA, GEORGIA ESTABLISHING A SIDEWALK BANK PROGRAM, AMENDING SUBSECTION 304.10 OF SECTION 300 OF THE CITY OF VILLA RICA DEVELOPMENT REGULATIONS TO ACCEPT FINANCIAL CONTRIBUTIONS IN LIEU OF SIDEWALK CONSTRUCTION, REPEALING CONFLICTS, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the intent of Section 300, Subsection 304.10 of the City of Villa Rica Development Regulations is to ensure that all new development and redevelopment projects construct sidewalks along all existing or new, public or private streets; and

WHEREAS, it is recognized that in some exceptional cases, the construction of sidewalks in certain locations would not contribute to the City's sidewalk network nor serve as a pedestrian amenity; and

WHEREAS, it is in the City's interest to accept payment in lieu of construction of new sidewalks in areas that would not benefit from such sidewalks; and

WHEREAS, it benefits the community to construct new sidewalks in established areas more suitable to pedestrians and the connectivity of the City's growing sidewalk network;

NOW THEREFORE BE IT RESOLVED by the governing authority of the City of Villa Rica, Georgia, that a Sidewalk Bank Program in conjunction with Subsection 304.10 of Section 300 of the City of Villa Rica Development Regulations is hereby established as follows:

Section 1. In cases where the lack of need for new sidewalk construction has been established, developers shall have the option of contributing the equivalent monetary value of those sidewalk improvements into the City of Villa Rica Sidewalk Bank.

Section 2. The monetary value of the sidewalk improvements shall be determined by the City Engineer according to industry standards at the time of development and that valuation shall consist of the cost of the materials, the cost of installation, and the cost of one year of maintenance.

Section 3. A separate Sidewalk account shall be established for the receipt of funds collected in cases where the developer makes a monetary contribution instead of providing sidewalks.

Section 4. City of Villa Rica Development Regulations Section 300, Subsection 304.10, Sidewalks, shall be amended by adding (E) as follows: Pursuant to a finding by the City Engineer that a sidewalk at a specific location would not provide a public benefit, funds may be contributed to the Sidewalk Bank in lieu of the sidewalk construction.

Section 5. All resolutions or parts thereof in conflict with this resolution are hereby repealed.

Section 6. This resolution shall take effect immediately upon its adoption.

SO RESOLVED AND EFFECTIVE, this the ____ day of _____ 2021.

Approved:

Gil McDougal, Mayor

Attest:

Alisa Doyal, City Clerk

Seal

STATE OF GEORGIA
CITY OF VILLA RICA

ORDINANCE #



CITY OF VILLA RICA

City Council Packet

SUBJECT: Purchase of Traffic Calming Radar Signs – Punkintown Road

CITY COUNCIL AGENDA DATE: May 11, 2021

DATE: April 27, 2021

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT:

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: Maintenance and Repair Road R/W

PURPOSE: The purpose of this agenda item is to recommend the purchase of two Traffic Calming Radar signs to be installed on Punkintown Road.

BACKGROUND: Due to the continued speeding along Punkintown Road, it is recommended that we install a couple of RADAR signs that warn the motoring public of exceeding the speed limit. We chose the Traffic Logix Safe Pace 450 sign unit with 15 inch display size that is solar powered. The Cities of Kennesaw, Carrollton, Acworth and a couple others have purchased and installed these units.

Prices were obtained from the following:

Transafe Transportation Products - \$3,612.00 each X 2 = \$7,224.00 plus shipping

Solar Traffic Systems - \$4,074.00 each X 2 = \$8,148.00 plus shipping

LEDLIGHTING Solutions - \$4,154.99 ea. X 2 = \$8,309.98 plus shipping

STAFF RECOMMENDATION: Staff recommends the low bid from Transafe for the amount of \$7,224.00 plus shipping. This total is for two identical units.

IMPACT: One Time Expense from Street maintenance budget.

MOTION: I move to purchase two Traffic Logix Safe Pace 450 Radar Speed Signs from Transafe for the total amount of \$7,224.00 plus \$310.00 shipping.



**Providing Quality Products &
Excellent Customer Service since 1986**

II 2
Quote

Date	Quote #
3/15/2021	20665

Name / Address
City of Villa Rica Finance Department accountspayable@villarica.org 571 W. Bankhead Highway Villa Rica, GA 30180

Ship To
City of Villa Rica Public Works Departmen ATTN Jeremy Dukes, Street Dept. Manager 106 Temple Street Villa Rica, GA 30180 US

Customer Phone	Customer Fax	Customer Cell Phone	Customer E-mail
(678) 840-1213			belliott@villarica.org

Terms	Quoted To	Quote valid thru	Rep	FOB	Project/Job Reference
Net 30	Bobby Elliot	5/14/2021	JW	Origin	

Item	Description	Qty	U/M	Unit Price	Total
EQ-07SP4504S...	SP 450 RADAR SIGN 4-CELL Li-Ion BATTERY AND 50W SOLAR PANEL W/BRACKET- FULL SIZE WHITE OR YELLOW SIGN FACE - INCLUDES SP BLUETOOTH - 15" Display Digits - 1,000 - 1,200 Foot Radar Range	2	ea	3,489.00	6,978.00T
EQ-07SP SP1B...	2-PART UNIVERSAL MOUNTING BRACKET SYSTEM (Includes Locking Sign Mount Plate & Mating Pole Mount) Optional: Traffic Data Collecting Software - Add \$396.00 per unit (one time charge)	1	ea	123.00 <i># 3,612.00</i>	123.00T
Freight-I	Inbound freight for non-stock material Includes on-site advisement on installation and Training and downloading the and developing reports for the collective traffic data software. Availability 3- weeks Total sales tax calculated by AvaTax Select this as a transaction's tax to use AvaTax			310.00 0.00 0.00%	310.00T 0.00 0.00

		Total	\$7,411.00
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Search

FREE SHIPPING Anywhere in the Continental US

*Exclusions apply



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[OUR STORY \(HTTPS://USTRAFFICSYSTEMS.COM/OUR-STORY/\)](https://ustrafficsystems.com/our-story/)

[SHOP ▾](#)

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[CONTACT US \(HTTPS://USTRAFFICSYSTEMS.COM/CONTACT-US/\)](https://ustrafficsystems.com/contact-us/)

[🛒 4 ITEMS \(HTTPS://USTRAFFICSYSTEMS.COM/CART/\)](https://ustrafficsystems.com/cart/)

[HOME \(HTTPS://USTRAFFICSYSTEMS.COM/\)](https://ustrafficsystems.com/) » [PRODUCTS \(HTTPS://USTRAFFICSYSTEMS.COM/SHOP/\)](https://ustrafficsystems.com/shop/) » [SAFE PACE 450 – SPEED RADAR](#)

✔ 2 × "Safe Pace 450 – Speed Radar" have been added to your cart.

[View cart \(https://ustrafficsystems.com/cart/\)](https://ustrafficsystems.com/cart/)



SAFE PACE 450 – SPEED RADAR

\$3,499.00 – \$4,074.00

PRODUCTION TIME VARIES

WE DO NOT OFFER FREE SHIPPING ON THIS ITEM

CALL FOR A QUOTE OR TO PLACE AN ORDER

WE MUST CHARGE TAX FOR THE FOLLOWING STATES: CA, NY, WA

- Solar Powered
- Digit Size – 15" (h) x 8" (w)
- Programmable Speed Violator Strobe Light
- Ambient Light Sensor
- Safe Pace Management Software
- Bluetooth

SIGN-FACE

Yellow ▾

SIZE

Full Size ▾

MOUNTING-BRACKET

Universal Locking Bracket Kit with Extra Plate ▾

SOFTWARE

Data Collection, Analysis & Reporting ▾

Clear

\$4,074.00

2

Add To Cart

\$8148⁰⁰ + shipping

SKU: N/A Categories: 15" Radar Signs (<https://ustrafficsystems.com/product-category/speed-radar/15-radar-signs/>), All Signs (<https://ustrafficsystems.com/product-category/all-signs/>), Solar-Powered Radar Speed Signs (<https://ustrafficsystems.com/product-category/speed-radar/>)

(<https://ustrafficsystems.com/wp-content/uploads/2017/07/Speed-Radar-450-Day.png>)



(<https://ustrafficsystems.com/wp-content/uploads/2017/07/Speed-Radar-450-Night.png>)

Description

Additional information

MOST ORDERS SHIP WITHIN 24 HOURS

LED LIGHTING SOLUTIONS (<https://ledlighting-solutions.com/storefront.html>)<https://ledlighting-solutions.com/basket-contents.html>

Q

Search

SIGN IN OR REGISTER ([HTTPS://LEDLIGHTING-SOLUTIONS.COM/CUSTOMER-LOGIN.HTML](https://ledlighting-solutions.com/customer-login.html))

X

YOUR CART: 2 ITEMS

**LED Solar Power Radar Speed Sign - SP100** (<https://ledlighting-solutions.com/led-solar-power-radar-speed-sign.html>)

SKU: CRSP001

SIGN COLOR:: Yellow

Power Option:: Solar Powered - Lithium-Ion Battery

Bluetooth Data Package

Cloud Data Package

Universal Mounting Bracket

50W Solar Panel Upgrade

SHIPPING SERVICE:: Commercial Delivery

[SAVE TO WISH LIST \(HTTPS://LEDLIGHTING-SOLUTIONS.COM/WISH-LIST.HTML?ACTION=MPWL&GROUP_ID=466651\)](https://ledlighting-solutions.com/wish-list.html?action=MPWL&GROUP_ID=466651)

Quantity

Subtotal

\$8,309.98

<https://ledlighting-solutions.com/basket-contents.html>

solutions.c

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Action=RC

+SP100&R

solutions.c

contents.h

U%26Prod

[SAVE CART FOR LATER \(HTTPS://LEDLIGHTING-SOLUTIONS.COM/WISH-LIST.HTML?ACTION=MAWL\)](https://ledlighting-solutions.com/wish-list.html?action=MAWL)[DELETE ENTIRE CART \(HTTPS://LEDLIGHTING-SOLUTIONS.COM/BASKET-CONTENTS.HTML?CLEAR_CART=1\)](https://ledlighting-solutions.com/basket-contents.html?clear_cart=1)[CONTINUE SHOPPING \(HTTPS://LEDLIGHTING-SOLUTIONS.COM/LED-SOLAR-POWER-RADAR-SPEED-SIGN.HTML\)](https://ledlighting-solutions.com/led-solar-power-radar-speed-sign.html)

ORDER SUMMARY

SUBTOTAL: 2 ITEMS

\$8,309.98

SHIPPING

ESTIMATE D

ADD COUPON CODE

+

CURRENT TOTAL

\$8,309.98

Plus shipping



CITY OF VILLA RICA
City Council Meeting
Agenda Item Cover Sheet

Agenda Item: _____

SUBJECT: Replacing an existing member of Convention and Visitors Bureau Board
AGENDA DATE: 5.11.21

DATE PREPARED: 4.29.21
PREPARED BY: Sharon Dupont

AMOUNT: N/A
GL ACCOUNT #: N/A
FUNDING SOURCE: N/A
BUDGETED ITEM? N/A

PURPOSE: To replace an existing CVB Board member Debbie Hohenstein (Real Living Georgia Life Realty) with Candy Wilson of Synovus Bank of Villa Rica.

BACKGROUND: Debbie Hohenstein is resigning her position on the CVB Board to due professional and professional reasons.

STAFF RECOMMENDATION: Staff recommends replacing current CVB Board member Debbie Hohenstein with Candy Wilson of Synovus Bank of Villa Rica.

IMPACT: As much consideration and thought Candy Wilson will give the CVB Board a member in good standing in the community and who works in the community. Mrs. Wilson already actively participates in tourism and economic development as she also serves on the Economic Vitality Committee under the Main Street umbrella.

MOTION: I move to approve replacing current CVB Board member Debbie Hohenstein with Candy Wilson of Synovus Bank of Villa Rica.



City of Villa Rica
571 W. Bankhead Highway
Villa Rica, GA 30180



**APPLICATION FOR BOARD OR COMMISSION
APPOINTMENT**

Citizens provide a great insight and knowledge to City government. An avenue that the City of Villa Rica uses to get this insight is through the various Boards and Commissions of the City of Villa Rica. The members of the Boards and Commissions make decisions and help recommend and review policies for the City of Villa Rica and its Mayor and Council. This questionnaire will assist the Mayor and Council in the review process and in determining applicant eligibility requirements and qualifications for Board or Commission membership.

Questions to consider before applying for membership on a Board or Commission:

- Do I fully understand what this Board or Commission expects from me?
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- Can I afford the demands on my time, resources and energy?
- Will I attend meetings regularly, making them a priority for the duration of my appointment?
- Am I willing to perform a reasonable amount of work outside of regularly scheduled Board or Commission meetings and prepare for each meeting?
- Can I work effectively with the other members of the Board or Commission?
- Am I willing to participate in necessary Board or Commission training, education and development activities that will improve my effectiveness in my position?

APPLICANT INFORMATION

Applicant Name: Carmen R. "Candy" Wilson

Occupation: Banker Employer: Synovus Bank

Home Address: 27 Copper Leaf Ct. City: Villa Rica, GA Zip: 30180

Home Phone: () - - - - - Home E-Mail: Candywilson67@yahoo.com

Work Phone: (770) 836-6961 Work E-Mail: Candywilson@synovus.com

Cell Phone: (770) 713-1774 Preferred E-Mail: ☐ Home ☒ Work

Name and address of the business entity you own, located within the city limits of Villa Rica (if applicable) N/A

- a) Which Board(s) or Commission(s) do you wish to be appointed to? VRCVB
- b) How long have you been a resident of the City of Villa Rica? 3 Years 0 Months "Grew up in VR + Graduated from VRHS"
- c) Are you current with all of your financial obligations to the City? ☒ Yes ☐ No
- d) Are you willing and available to attend training sessions on-site and/or off-site if provided by the City? ☒ Yes ☐ No
- e) Available Boards and Commissions and their terms and meeting schedules are listed at the end of this application. Are you able to meet the attendance requirements of the position for which you are applying? ☒ Yes ☐ No
- f) Do you know of any circumstances that would result in you having to abstain from voting on any action before the Board or Commission? ☐ Yes ☒ No If yes, please explain:

- g) Do you or your employer, or your spouse, child, relative or their employers, do business with the City of Villa Rica? ☒ Yes ☐ No If yes, please explain:

I work for Synovus Bank and we just recently
obtained deposit relationship for the City of Villa Rica.
(Won RFI)

- h) Do you have any employment or contractual relationship with the City of Villa Rica that would create a continuing or frequently recurring conflict with regard to your participation on a Board or Commission? ☐ Yes ☒ No If yes, please explain:

i) Please briefly explain your reasons for wishing to serve on the Board or Commission you select:

* Share my ideas, promote awareness and help make sure VRCVB has adequate resources to advance and make people want to visit the "City of Gold"... Villa Rica (My Hometown)

j) Are you willing to be considered for appointment to any of the other Boards or Commissions of the City if a position is not available on the Board or Commission of your first choice? ☐ Yes ☐ No If yes, please list the Boards or Commissions for which you would like to be considered (in order of interest):

APPLICANT STATEMENT

I understand that I am applying for appointment to a Board or Commission and that the appointing authority may require an interview prior to consideration for appointment; that I will be required to take an oath of office to uphold the City's charter and ordinances; that I may be removed from office for any reason permitted by law or City charter; and that my application will remain on file for consideration for a period of six months, after which time, I will need to file a new application. I agree to comply at all times with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in this application are true to the best of my knowledge.

Candy Wilson
Signature

Candy Wilson
Printed Name

4/14/2021
Date

Please return signed application to: Alisa Doyal, City Clerk
City of Villa Rica
571 W. Bankhead Hwy
Villa Rica, GA 30180

Fax: 770-459-7003
Email: adoyal@villarica.org

Questions? Contact the City Clerk at 678-840-1212

BOARD AND COMMISSION INFORMATION

Board of Appeals (BOA): The BOA is a quasi-judicial body that provides the public with a final administrative review process for appeals relating to a wide range of City determinations. The Board strives to provide an efficient, fair and expeditious public hearing and decision-making process before an impartial panel as a last step in the City's permit issuance process. The Board hears and decides appeals involving the granting, denial, suspension, or revocation of permits, licenses, and other use entitlements by various City commissions and departments. The granting or denial of variances and other determinations by the P&Z Commission. Term: 3 years | Members: 5

Downtown Development Authority (DDA): The DDA's mission is to oversee the revitalization and redevelopment of the central business district and to develop and promote for the public good and general welfare, trade, commerce, industry and employment opportunities. Members must either own a business or have an economic interest in the downtown. A member of the City Council is permitted to serve on the DDA. Term: 4 years | Members: 7

Historic Preservation Commission (HPC): This six-member commission is appointed by the City Council and administers the historic regulations in the City of Villa Rica. Commissioners review requests for retaining wall grants, revolving loan applications, building permit applications and demolition permit requests. Term: 3 years | Members: 6

Housing Authority Board (HAB): The function and responsibility of the HAB is to plan, develop, and administer a public housing program for the City of Villa Rica. Members are appointed by the Mayor for indefinite terms.

Library Advisory Board (LAB): Acts in an advisory capacity to the branch manager of the Villa Rica Public Library. Members work with the Branch Manager to establish operational policies for the library for approval by the City Council and West Georgia Regional Library System, assist the Branch Manager with the annual budget request to the City Council, adopts bylaws and regulations for internal operations, makes recommendations through the City Manager to the Mayor and City Council concerning the library, solicits donations of money and/or property for the benefit of the library, and represents the library to the community. The City Manager, Branch Manager and WGRL Director serve as nonvoting members. Term: 3 years | Members: 7

Main Street Advisory Board (MSAB): This seven-member Board commission is appointed by the City Council and works to promote and create a thriving central business district in Downtown Villa Rica and along primary entrance corridors into the central downtown business district. Term: 2 years | Members: 7

Planning & Zoning Commission (P&Z): The P&Z advises the City Council in decisions pertaining to amendments to the Comprehensive Plan, the Zoning Ordinance and applications for development. The Commission is charged with developing and maintaining the Comprehensive Plan and submitting the plan and its elements to the City Council. The Commission also reviews and makes recommendations regarding changes to the Comprehensive Plan land use map. The Commission hears, reviews and makes recommendations regarding all applications for subdivision site plans, specific plans and phased and conditional use permit applications. Term: 1 year | Members: 5

Recreation Advisory Commission (RAC): The purpose of the RAC is to make recommendations to the City Council regarding parks and recreation plans, policies, programs and projects. Term: 3 years | Members: 7

Villa Rica Cemetery Committee: Functions include making recommendations to the City Manager on all aspects of the management and operations of the city's cemeteries. Term: 3 years | Members: 6

Villa Rica Development Authority (VRDA): The VRDA exists to provide bond financing for community and economic development projects with a goal of increasing job opportunities within the community, supporting education and health care, and providing housing for underserved communities, all of which benefit the residents of the city of Villa Rica and the state of Georgia. Term: 4 years | Members: 7

City of Villa Rica

PROCEDURES FOR BOARD OR COMMISSION APPOINTMENT

- 1) Approximately four weeks before the end of a Board or Commission term, the City Clerk will notify the Mayor and City Council and the members of the Board or Committee affected of the positions and citizens whose terms will be expiring.
- 2) The City Clerk will cause this information to be posted via the City's website, electronic newsletter or other means to inform the residents in the city. This notice will also include qualifications (if any) to serve. The Mayor and City Council will set the timeframe for the acceptance of applicants.
- 3) Applications may be sent to the City Clerk. The Mayor and City Council may interview candidates at its discretion. The Mayor and City Council retains all responsibilities and rights to select candidates, nominate and confirm appointments as required by the City Charter and Code of Ordinances.
- 4) After any appointment, the new Board or Commission member, as well as the other members of that Board or Commission will receive a letter notifying them of their appointment and be scheduled to be administered an Oath of Office.

Please return signed application to: Alisa Doyal, City Clerk
City of Villa Rica
571 W. Bankhead Hwy
Villa Rica, GA 30180

Fax: 770-459-7003
Email: adoyal@villarica.org

Questions? Contact the City Clerk at 678-840-1212



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2021 Downtown Development Authority Board Appointment
AGENDA DATE: 5/11/21

DATE PREPARED: 4/27/21
PREPARED BY: Janet Chumley

AMOUNT: N/A
GL ACCOUNT #: N/A
FUNDING SOURCE: None
BUDGETED ITEM?: N/A

PURPOSE: The seven-member Downtown Development Authority Board is appointed by the City Council. The DDA's mission is to oversee the revitalization and redevelopment of the central business district and to develop and promote for the public good and general welfare, trade, commerce, industry and employment opportunities. Term: 4 years. Recommended by board members; Approved by City Council.

BACKGROUND: The DDA Board currently has one open board position since the resignation of Kimberly Stovall in February. She did not wish to be re-appointed. Her term was officially up March 31, 2021. The open position was posted on social media and the city's website. Only one application was received by the City Clerk; Marisol Melendez (Mari). Mari's family owns Los Cowboys and several other properties in downtown Villa Rica.

In the April 26th monthly board meeting the DDA board unanimously voted to appoint local business owner, Marisol Melendez to fill the open position. Her term would be 4/26/2021 until 4/26/2025.

STAFF RECOMMENDATION: Staff recommends based upon the DDA board unanimous vote to appoint Marisol Melendez to serve on the DDA board for the term 4/26/2021 until 4/26/2025.

IMPACT: The DDA board will be back to full capacity.

MOTION: I make a motion to appoint Marisol Melendez to serve on DDA Board 4/26/2021 until 4/26/2025 filling the vacated position of Kimberly Stovall.



City of Villa Rica
571 W. Bankhead Highway
Villa Rica, GA 30180



APPLICATION FOR BOARD OR COMMISSION APPOINTMENT

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- Am I committed to the goals and mission of this Board or Commission?
- Can I afford the demands on my time, resources and energy?
- Will I attend meetings regularly, making them a priority for the duration of my appointment?
- Am I willing to perform a reasonable amount of work outside of regularly scheduled Board or Commission meetings and prepare for each meeting?
- Can I work effectively with the other members of the Board or Commission?
- Am I willing to participate in necessary Board or Commission training, education and development activities that will improve my effectiveness in my position?

APPLICANT INFORMATION

Applicant Name: Marisol Melendez

Occupation: Manager Employer: LOS COWBOYS MEXICAN REST.

Home Address: 634 Rockmart rd City: Villa Rica, GA Zip: 30180

Home Phone: () Home E-Mail: MARISOL-MELENDEZ89@hotmail.com

Work Phone: (770) 456-2291 Work E-Mail: LOSCOWBOYS.VR@gmail.com

Cell Phone: (770) 500-9438 Preferred E-Mail: ☐ Home ☒ Work

Name and address of the business entity you own, located within the city limits of Villa Rica (if applicable):
LOS COWBOYS MEXICAN RESTURANT 113 Main street
213, 215, 217, 219 W. Wilson Street.

a) Which Board(s) or Commission(s) do you wish to be appointed to? DDA Board

b) How long have you been a resident of the City of Villa Rica? 20⁺ Years ____ Months

c) Are you current with all of your financial obligations to the City? ☒ Yes ☐ No

d) Are you willing and available to attend training sessions on-site and/or off-site if provided by the City? ☒ Yes ☐ No

e) Available Boards and Commissions and their terms and meeting schedules are listed at the end of this application. Are you able to meet the attendance requirements of the position for which you are applying? ☒ Yes ☐ No

f) Do you know of any circumstances that would result in you having to abstain from voting on any action before the Board or Commission? ☐ Yes ☒ No If yes, please explain:

g) Do you or your employer, or your spouse, child, relative or their employers, do business with the City of Villa Rica ☐ Yes ☒ No If yes, please explain:

own a restaurant so we pay the city "

h) Do you have any employment or contractual relationship with the City of Villa Rica that would create a continuing or frequently recurring conflict with regard to your participation on a Board or Commission? ☐ Yes ☒ No If yes, please explain:

- i) Please briefly explain your reasons for wishing to serve on the Board or Commission you select:

I love Villa Rica and especially the downtown area.

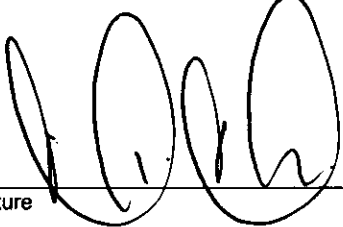
I am ready to see it grow and ~~forth~~ ~~comm~~ bring out its

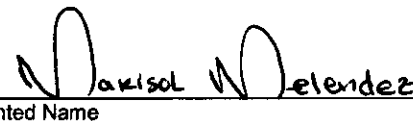
full potential.

- j) Are you willing to be considered for appointment to any of the other Boards or Commissions of the City if a position is not available on the Board or Commission of your first choice? ☐ Yes ☒ No If yes, please list the Boards or Commissions for which you would like to be considered (in order of interest):

APPLICANT STATEMENT

I understand that I am applying for appointment to a Board or Commission and that the appointing authority may require an interview prior to consideration for appointment; that I will be required to take an oath of office to uphold the City's charter and ordinances; that I may be removed from office for any reason permitted by law or City charter; and that my application will remain on file for consideration for a period of six months, after which time, I will need to file a new application. I agree to comply at all times with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in this application are true to the best of my knowledge.


Signature


Printed Name

3/12/21
Date

Please return signed application to: Alisa Doyal, City Clerk
City of Villa Rica
571 W. Bankhead Hwy.
Villa Rica, GA 30180

Fax: 770-459-7005
Email: adoyal@villanor.org

Questions? Contact the City Clerk at 678-840-1212

BOARD AND COMMISSION INFORMATION

Board of Appeals (BOA): The BOA is a quasi-judicial body that provides the public with a final administrative review process for appeals relating to a wide range of City determinations. The Board strives to provide an efficient, fair and expeditious public hearing and decision-making process before an impartial panel as a last step in the City's permit issuance process. The Board hears and decides appeals involving the granting, denial, suspension, or revocation of permits, licenses, and other use entitlements by various City commissions and departments. The granting or denial of variances and other determinations by the P&Z Commission. Term: 3 years | Members: 5

***Downtown Development Authority (DDA):** The DDA's mission is to oversee the revitalization and redevelopment of the central business district and to develop and promote for the public good and general welfare; trade, commerce, industry and employment opportunities. Members must either own a business or have an economic interest in the downtown. A member of the City Council is permitted to serve on the DDA. Term: 4 years | Members: 7

Historic Preservation Commission (HPC): This six-member commission is appointed by the City Council and administers the historic regulations in the City of Villa Rica. Commissioners review requests for retaining wall grants, revolving loan applications, building permit applications and demolition permit requests. Term: 3 years | Members: 6

Housing Authority Board (HAB): The function and responsibility of the HAB is to plan, develop, and administer a public housing program for the City of Villa Rica. Members are appointed by the Mayor for indefinite terms.

Library Advisory Board (LAB): Acts in an advisory capacity to the branch manager of the Villa Rica Public Library. Members work with the Branch Manager to establish operational policies for the library for approval by the City Council and West Georgia Regional Library System, assist the Branch Manager with the annual budget request to the City Council, adopts bylaws and regulations for internal operations, makes recommendations through the City Manager to the Mayor and City Council concerning the library, solicits donations of money and/or property for the benefit of the library, and represents the library to the community. The City Manager, Branch Manager and WGRL Director serve as nonvoting members. Term: 3 years | Members: 7

Main Street Advisory Board (MSAB): This seven-member Board commission is appointed by the City Council and works to promote and create a thriving central business district in Downtown Villa Rica and along primary entrance corridors into the central downtown business district. Term: 2 years | Members: 7

Planning & Zoning Commission (P&Z): The P&Z advises the City Council in decisions pertaining to amendments to the Comprehensive Plan, the Zoning Ordinance and applications for development. The Commission is charged with developing and maintaining the Comprehensive Plan and submitting the plan and its elements to the City Council. The Commission also reviews and makes recommendations regarding changes to the Comprehensive Plan land use map. The Commission hears, reviews and makes recommendations regarding all applications for subdivision site plans, specific plans and phased and conditional use permit applications. Term: 1 year | Members: 5

Recreation Advisory Commission (RAC): The purpose of the RAC is to make recommendations to the City Council regarding parks and recreation plans, policies, programs and projects. Term: 3 years | Members: 7

Villa Rica Cemetery Committee: Functions include making recommendations to the City Manager on all aspects of the management and operations of the city's cemeteries. Term: 3 years | Members: 6

Villa Rica Development Authority (VRDA): The VRDA exists to provide bond financing for community and economic development projects with a goal of increasing job opportunities within the community, supporting education and health care, and providing housing for underserved communities, all of which benefit the residents of the city of Villa Rica and the state of Georgia. Term: 4 years | Members: 7

PROCEDURES FOR BOARD OR COMMISSION APPOINTMENT

- 1) Approximately four weeks before the end of a Board or Commission term, the City Clerk will notify the Mayor and City Council and the members of the Board or Committee affected of the positions and citizens whose terms will be expiring.
- 2) The City Clerk will cause this information to be posted via the City's website, electronic newsletter or other means to inform the residents in the city. This notice will also include qualifications (if any) to serve. The Mayor and City Council will set the timeframe for the acceptance of applicants.
- 3) Applications may be sent to the City Clerk. The Mayor and City Council may interview candidates at its discretion. The Mayor and City Council retains all responsibilities and rights to select candidates, nominate and confirm appointments as required by the City Charter and Code of Ordinances.
- 4) After any appointment, the new Board or Commission member, as well as the other members of that Board or Commission will receive a letter notifying them of their appointment and be scheduled to be administered an Oath of Office.

Please return signed application to: Alisa Doyal, City Clerk
City of Villa Rica
571 W. Bankhead Hwy.
Villa Rica, GA 30180

Fax: 770-459-7003
Email: adoyal@villarica.org

Questions? Contact the City Clerk at 678-840-1212



CITY OF VILLA RICA

City Council Packet

SUBJECT: Library Advisory Board Appointment

CITY COUNCIL AGENDA DATE: 05/11/2021

DATE: 4/22/2021

PREPARED BY: Evette Bridges

FISCAL IMPACT: None

ANNUAL – N/A

CAPITAL – N/A

OTHER – N/A

FUNDING SOURCE: N/A

PURPOSE: Fill vacancy on the Library Advisory Board

BACKGROUND: Vacant position created at the end of the term held by Frank Pritchett.

STAFF RECOMMENDATION: The Library Advisory Board recommends Victoria Byrne for new Library Advisory Board Member due to history of library volunteer service, background in education, and city volunteer service over the course of several years.

IMPACT: Term 6/1/2021 – 5/30/2024

MOTION: I move to appoint Victoria Byrne to the Library Advisory Board for a full term of June 1, 2021 – May 30, 2024



City of Villa Rica
571 W. Bankhead Highway
Villa Rica, GA 30180



**APPLICATION FOR BOARD OR COMMISSION
 APPOINTMENT**

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Questions to consider before applying for membership on a Board or Commission:

- Do I fully understand what this Board or Commission expects from me?
- Am I committed to the goals and mission of this Board or Commission?
- Can I afford the demands on my time, resources and energy?
- Will I attend meetings regularly, making them a priority for the duration of my appointment?
- Am I willing to perform a reasonable amount of work outside of regularly scheduled Board or Commission meetings and prepare for each meeting?
- Can I work effectively with the other members of the Board or Commission?
- Am I willing to participate in necessary Board or Commission training, education and development activities that will improve my effectiveness in my position?

APPLICANT INFORMATION

Applicant Name: Victoria Byrne

Occupation: Educator Employer: Paulding County School System

Home Address: 215 Elm Dr City: Villa Rica, GA Zip: 30180

Home Phone: () N/A Home E-Mail: victoriaambyrne@yahoo.com

Work Phone: () N/A Work E-Mail: vbyrne@paulding.k12.ga.us

Cell Phone: (770) 742-4490 Preferred E-Mail: ☒ Home ☐ Work

Name and address of the business entity you own, located within the city limits of Villa Rica (if applicable) N/A

City of Villa Rica

BOARD OR COMMISSION APPLICATION

Page 2 of 4

- a) Which Board(s) or Commission(s) do you wish to be appointed to? Library Advisory Board
- b) How long have you been a resident of the City of Villa Rica? 18 Years 3 Months
- c) Are you current with all of your financial obligations to the City? ☒ Yes ☐ No
- d) Are you willing and available to attend training sessions on-site and/or off-site if provided by the City? ☒ Yes ☐ No
- e) Available Boards and Commissions and their terms and meeting schedules are listed at the end of this application. Are you able to meet the attendance requirements of the position for which you are applying? ☒ Yes ☐ No
- f) Do you know of any circumstances that would result in you having to abstain from voting on any action before the Board or Commission? ☐ Yes ☒ No If yes, please explain:
- _____
- _____
- _____
- g) Do you or your employer, or your spouse, child, relative or their employers, do business with the City of Villa Rica ☐ Yes ☒ No If yes, please explain:
- _____
- _____
- _____
- h) Do you have any employment or contractual relationship with the City of Villa Rica that would create a continuing or frequently recurring conflict with regard to your participation on a Board or Commission? ☐ Yes ☒ No If yes, please explain:
- _____
- _____

City of Villa Rica

BOARD OR COMMISSION APPLICATION

Page 3 of 4

- i) Please briefly explain your reasons for wishing to serve on the Board or Commission you select:

I have enjoyed serving as a volunteer with the Villa Rica Library for 4 years

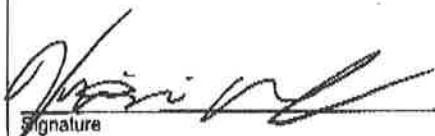
I am an educator in the Paulding County School District for 18 years

I am passionate and supportive of the work the Villa Rica Library does and would love to assist in the growth and development of it.

- j) Are you willing to be considered for appointment to any of the other Boards or Commissions of the City if a position is not available on the Board or Commission of your first choice? ☐ Yes ☒ No If yes, please list the Boards or Commissions for which you would like to be considered (in order of interest):

APPLICANT STATEMENT

I understand that I am applying for appointment to a Board or Commission and that the appointing authority may require an interview prior to consideration for appointment; that I will be required to take an oath of office to uphold the City's charter and ordinances; that I may be removed from office for any reason permitted by law or City charter; and that my application will remain on file for consideration for a period of six months, after which time, I will need to file a new application. I agree to comply at all times with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in this application are true to the best of my knowledge.


Signature

Victoria Byrne
Printed Name

3/4/2021
Date

Please return signed application to: Alisa Doyal, City Clerk
City of Villa Rica
571 W. Bankhead Hwy
Villa Rica, GA 30180

Fax: 770-459-7003
Email: adoyal@villarica.org

Questions? Contact the City Clerk at 678-840-1212



City of Villa Rica
571 W. Bankhead Highway
Villa Rica, GA 30180



APPLICATION FOR BOARD OR COMMISSION APPOINTMENT

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Questions to consider before applying for membership on a Board or Commission:

- Do I fully understand what this Board or Commission expects from me?
- Am I committed to the goals and mission of this Board or Commission?
- Can I afford the demands on my time, resources and energy?
- Will I attend meetings regularly, making them a priority for the duration of my appointment?
- Am I willing to perform a reasonable amount of work outside of regularly scheduled Board or Commission meetings and prepare for each meeting?
- Can I work effectively with the other members of the Board or Commission?
- Am I willing to participate in necessary Board or Commission training, education and development activities that will improve my effectiveness in my position?

APPLICANT INFORMATION

Applicant Name: Robert K. Hardeman

Occupation: Attorney Employer: Drew, Eckl & Farnham

Home Address: 9620 Stillwater Dr. City: Villa Rica Zip: 30180

Home Phone: (678) 576-2811 Home E-Mail: RKHardeman@hotmail.com

Work Phone: () Work E-Mail:

Cell Phone: (678) 576-2811 Preferred E-Mail: ☒ Home ☐ Work

Name and address of the business entity you own, located within the city limits of Villa Rica (if applicable)

- a) Which Board(s) or Commission(s) do you wish to be appointed to? Library Advisory Board
- b) How long have you been a resident of the City of Villa Rica? 1 Years 4 Months
- c) Are you current with all of your financial obligations to the City? ☒ Yes ☐ No
- d) Are you willing and available to attend training sessions on-site and/or off-site if provided by the City? ☒ Yes ☐ No
- e) Available Boards and Commissions and their terms and meeting schedules are listed at the end of this application. Are you able to meet the attendance requirements of the position for which you are applying? ☒ Yes ☐ No
- f) Do you know of any circumstances that would result in you having to abstain from voting on any action before the Board or Commission? ☐ Yes ☒ No If yes, please explain:

- g) Do you or your employer, or your spouse, child, relative or their employers, do business with the City of Villa Rica ☐ Yes ☒ No If yes, please explain:

- h) Do you have any employment or contractual relationship with the City of Villa Rica that would create a continuing or frequently recurring conflict with regard to your participation on a Board or Commission? ☐ Yes ☒ No If yes, please explain:

- i) Please briefly explain your reasons for wishing to serve on the Board or Commission you select:

My wife, Holly, and I have been interested in potential community service opportunities since we moved to Villa Rica. I would certainly view the Library Board as an excellent opportunity for service.

- j) Are you willing to be considered for appointment to any of the other Boards or Commissions of the City if a position is not available on the Board or Commission of your first choice? ☒ Yes ☐ No If yes, please list the Boards or Commissions for which you would like to be considered (in order of interest):

I would be open to consideration of any other Boards in the event of an opening or vacancy.

APPLICANT STATEMENT

I understand that I am applying for appointment to a Board or Commission and that the appointing authority may require an interview prior to consideration for appointment; that I will be required to take an oath of office to uphold the City's charter and ordinances; that I may be removed from office for any reason permitted by law or City charter; and that my application will remain on file for consideration for a period of six months, after which time, I will need to file a new application. I agree to comply at all times with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in this application are true to the best of my knowledge.



Signature

Robert K. Hareleman

Printed Name

2/19/2021

Date

Please return signed application to:

Alisa Doyal, City Clerk
City of Villa Rica
571 W. Bankhead Hwy
Villa Rica, GA 30180

Fax: 770-459-7003
Email: adoyal@villarica.org

Questions? Contact the City Clerk at 678-840-1212



City of Villa Rica
571 W. Bankhead Highway
Villa Rica, GA 30180



APPLICATION FOR BOARD OR COMMISSION
APPOINTMENT

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- Do I fully understand what this Board or Commission expects from me?
- Am I committed to the goals and mission of this Board or Commission?
- Can I afford the demands on my time, resources and energy?
- Will I attend meetings regularly, making them a priority for the duration of my appointment?
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- Can I work effectively with the other members of the Board or Commission?
- Am I willing to participate in necessary Board or Commission training, education and development activities that will improve my effectiveness in my position?

APPLICANT INFORMATION

Applicant Name: Angelia O'neal

Occupation: Entrepreneur Employer: —

Home Address: 3046 Summer Breeze Dr. City: Villa Rica Zip: 30180

Home Phone: (404) 660-4709 Home E-Mail: Aoneal@menswearinc.org

Work Phone: (770) 770-462-1080 Work E-Mail: same

Cell Phone: (404) 660-4709 Preferred E-Mail: ☒ Home ☒ Work

Name and address of the business entity you own, located within the city limits of Villa Rica (if applicable) _____

M.E.N.S. WEAR, INC. 364 W. Bankhead Hwy Villa Rica 30180
Villa Rica

Everything Chocolate Gourmet Bakery 3046 Summer Breeze Dr. 30180

- a) Which Board(s) or Commission(s) do you wish to be appointed to? Library Board
- b) How long have you been a resident of the City of Villa Rica? 16 Years ___ Months
- c) Are you current with all of your financial obligations to the City? ☐ Yes ☒ No
- d) Are you willing and available to attend training sessions on-site and/or off-site if provided by the City? ☒ Yes ☐ No
- e) Available Boards and Commissions and their terms and meeting schedules are listed at the end of this application. Are you able to meet the attendance requirements of the position for which you are applying? ☒ Yes ☐ No
- f) Do you know of any circumstances that would result in you having to abstain from voting on any action before the Board or Commission? ☐ Yes ☒ No If yes, please explain:
- N/A
- g) Do you or your employer, or your spouse, child, relative or their employers, do business with the City of Villa Rica ☐ Yes ☒ No If yes, please explain:
- N/A
- h) Do you have any employment or contractual relationship with the City of Villa Rica that would create a continuing or frequently recurring conflict with regard to your participation on a Board or Commission? ☐ Yes ☒ No If yes, please explain:
- N/A

i) Please briefly explain your reasons for wishing to serve on the Board or Commission you select:

As a long-time resident of Villa Rica, I am very passionate about the growth & future of the city. I want to ~~be~~ serve as a positive contributor ensuring its future success.

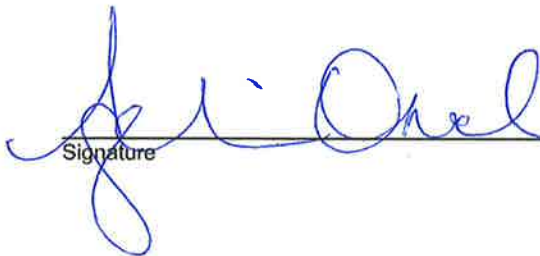
j) Are you willing to be considered for appointment to any of the other Boards or Commissions of the City if a position is not available on the Board or Commission of your first choice? ☒ Yes ☐ No If yes, please list the Boards or Commissions for which you would like to be considered (in order of interest):

① Library Board

② Planning & Zoning Commission

APPLICANT STATEMENT

I understand that I am applying for appointment to a Board or Commission and that the appointing authority may require an interview prior to consideration for appointment; that I will be required to take an oath of office to uphold the City's charter and ordinances; that I may be removed from office for any reason permitted by law or City charter; and that my application will remain on file for consideration for a period of six months, after which time, I will need to file a new application. I agree to comply at all times with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in this application are true to the best of my knowledge.


Signature

Angelia O'Neal
Printed Name

3/11/2021
Date

Please return signed application to: Alisa Doyal, City Clerk
City of Villa Rica
571 W. Bankhead Hwy
Villa Rica, GA 30180

Fax: 770-459-7003
Email: adoyal@villarica.org

Questions? Contact the City Clerk at 678-840-1212



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: (1) Employee discount for city run or sponsored programs/events; (2) Sibling discounts for families with multiple children registering for city run or sponsored programs/event.

AGENDA DATE: May 11, 2021

DATE PREPARED: May 4, 2021

PREPARED BY: Tracie Ivey, Recreation Director

AMOUNT:

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM? Not reflected in revenue line item

PURPOSE: The Parks and Recreation Department is requesting the approval of offering employees a 30% discount for enrolled/registered children in a city run program or event. It is also being requested that a multi-child discount be offered to families of more than one child who register for a city run program or event. This discount would be \$5.00 per additional child.

BACKGROUND: This is a common practice throughout the recreation industry in the immediate area, regionally and nationally. It can vary from place to place. Examples of where this could occur would be for large events such as the Daddy-Daughter Dance and programs with large numbers of registered enrollees such as Summer Camps.

STAFF RECOMMENDATION: Approval of 30% discount for city employees who register their children for city run programs and events. Approval of a \$5 per child discount for families with multiple children in the same household who register or enroll in a city run program or event.

IMPACT: This policy could in many cases make the difference of whether families can enroll in quality, well administered and managed programs in their own community. It can also be an attraction for current and future potential employees.

MOTION: Move to approve the employee discount and multi-child discount for families registering for city run programs and events.



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2021 Budget Amendments # 124-131

AGENDA DATE: 05-11-2021

DATE PREPARED: 04-29-21

PREPARED BY: Jennifer Hallman

AMOUNT: See Exhibit A

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM?

PURPOSE: To adopt ordinance amending the 2021 budget

MOTION: I move to adopt the ordinance to approve an amendment to the budget for the fiscal year 2021 for the City pursuant to Section 2-71 of the City Charter.

STATE OF GEORGIA

ORDINANCE NO. _____

CITY OF VILLA RICA

**AN ORDINANCE TO APPROVE AN AMENDMENT TO THE BUDGET
FOR THE FISCAL YEAR 2021 FOR THE CITY
PURSUANT TO SECTION 2-71 OF THE CITY CHARTER**

WHEREAS, the Mayor and City Council adopted the 2021 Budget on September 29, 2020, which incorporated all of the various funds of the City; and

WHEREAS, the Mayor and Council have determined it appropriate to amend the budget for the reasons set forth herein.

WHEREAS, the Mayor and Council have reviewed the proposed budget; and

WHEREAS, each of the funds, as amended, has a balanced budget, such that anticipated revenues equal or exceed proposed expenditures.

NOW, THEREFORE, the Mayor and City Council of the City of Villa Rica, Georgia, hereby ordain as follows:

Section 1. That the City of Villa Rica, Georgia, hereby amends the Budget for Fiscal Year 2021, said budget amendment being described as Amendment No. 124-131, attached hereto and incorporated as Exhibit A.

Section 2. That any increase or decrease in appropriations or revenue of any fund or for any department; the establishment of new capital projects; or the establishment of new grant projects other than those expectations provided for herein, shall require approval of the City Council.

Section 3. That the City Manager and his/her designee may promulgate all necessary internal rules, regulations and policies to ensure that this Budget Amendment Ordinance is followed.

Section 4. This Resolution shall be effective immediately upon its adoption.

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Mayor and City Council to be fully valid, enforceable and constitutional.

2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence,

clause or phrase of same. It is hereby further declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of same.

3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the same and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are expressly repealed.

5. The within ordinance shall become effective upon its adoption.

SO ORDAINED AND EFFECTIVE this the _____ day of _____, 2021.

Approved:

Gil McDougal, Mayor

Attest:

Alisa Doyal, City Clerk

Cemetery Donation

Council approved donation to Community Foundation in February 2021

Source of Funds: LOST - Carroll County

<i>Item</i>	<i>Account Name</i>	<i>Account Type</i>		<i>Amount</i>
124 100-9000-611290	Transfer to Cemetery Fund	Expense	Increase	5,000
125 100-313110	LOST - Carroll County	Revenue	Increase	5,000
126 290-391100	Transfer In General Fund	Revenue	Increase	5,000
127 290-4950-572100	Payments to Other Agencies	Expense	Increase	5,000

Training for Various Departments

Council approved training for Main Street & Pine Mountain

Source of Funds: Contingency

<i>Item</i>	<i>Account Name</i>	<i>Account Type</i>		<i>Amount</i>
128 100-1110-579100	Contingency	Expense	Decrease	(2,078)
129 100-7550-523700	Education & Training	Expense	Increase	670
130 100-7550-523500	Travel	Expense	Increase	963
131 100-6172-523700	Education & Training	Expense	Increase	445



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Election of GMA's District 4 Officers

AGENDA DATE: May 11, 2021

DATE PREPARED: April 30, 2021

PREPARED BY: Tom Barber

AMOUNT: n/a

GL ACCOUNT #: n/a

FUNDING SOURCE: n/a

BUDGETED ITEM? n/a

PURPOSE: To approve a slate of candidates as GMA's District 4 Officers for 2021-2022.

BACKGROUND: GMA has submitted the ballot for their 2021-2022 District 4 officers. The City may vote to approve or oppose the proposed slate of city officials. The deadline for submitting nominations was April 20. The ballot is due on June 1.

STAFF RECOMMENDATION:

IMPACT:

MOTION: I move to approve the attached slate of four city officials nominated as District 4 Officers by GMA for the 2021-2022 year.

From: tjacobs@gacities.com
Sent: Monday, April 5, 2021 5:28 PM
To: Tom Barber
Subject: Proposed Slate of Officers for District 4

Dear Tom,

I want to advise you that we are now at the point in the process where you have an opportunity to review the nominations prepared by the current district officers, serving as the district nominating committee. The committee is nominating the following slate of District 4 officers for the 2021 -2022 year:

President	J.D. Stalling, Mayor of Thomaston
First Vice President	Dr. Steve Ledbetter, Mayor of Woodbury
Second Vice President	Betty Cason, Mayor of Carrollton
Third Vice President	William Pearman, Mayor of Senoia

Prior to asking each city to vote on this proposed slate, we need to determine if anyone in the district wishes to make an additional nomination. Should you wish to submit an additional nomination, you may do so by submitting it to Terrell Jacobs, GMA's District 4 staff liaison, by April 20. You may email the nomination to tjacobs@gacities.com or fax it to (678) 392-2769

Voting on the district officers will begin on April 30. A ballot will be emailed to each member city and will be due on June 1. The results of the election will be announced shortly after June 1 and final action on the slate approved by the district will be taken by the GMA membership at the annual business meeting during the annual convention in August.

If you have any questions, please contact Terrell at (678) 392-2769 or tjacobs@gacities.com.

Thank you,

Larry Hanson

Executive Director



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Rate Adjustments with GFL
AGENDA DATE: May 11, 2021

DATE PREPARED: May 6, 2021
PREPARED BY: Sarah Andrews

AMOUNT: \$10,080 (4 months)
GL ACCOUNT #: 540-4500-522110
FUNDING SOURCE: Solid Waste Fund Operating Budget
BUDGETED ITEM? No

PURPOSE: To approve the annual rate adjustments by GFL Environmental to be effective June 1, 2021.

BACKGROUND: Per our service agreement with GFL, “The Service Fee will be increased annually every April 1st beginning on April 1, 2020 to reflect the annual adjustment based on Table 1 of the Consumer Price Index for All Urban Consumers (CPI-U): U.S. City Average, by expenditure category and commodity and service group. Water and Sewer and Trash Collection Services (2).”

GFL Environmental presented a letter to staff on May 6, 2021 detailing that the annual rate adjustment would be 3.5%, effective June 1, 2021. The current rate per cart is \$12.23 and the proposed rate per cart would be \$12.66, which is a \$0.43 increase. Currently, the City pays for more than 5,700 carts per month.

STAFF RECOMMENDATION: Staff recommends accepting the rate increase from GFL and approving a rate increase to the City’s customers to be effective June 1st as well. The Solid Waste Fund budget barely breaks even as it is.

MOTION: I move to accept the 3.5% CPI-U increase per cart with GFL Environmental effective June 1, 2021.



May 5, 2021

Tom Barber
City of Villa Rica
571 Bankhead Hwy
Villa Rica, GA 30180

RE: Solid Waste Collection and Disposal Services – Adjustments to Rates

Dear Mr. Barber,

Thank you for allowing GFL the opportunity to provide solid waste collection services to your community. We sincerely enjoy providing this service to your residents and value our relationship with the you and the City of Villa Rica.

As per our agreement, "The Service Fee will be increased annually every April 1st beginning on April 1, 2020 to reflect the annual adjustment based on Table 1 of the Consumer Price Index for All Urban Consumers (CPI-U): U.S. City Average, by expenditure category and commodity and service group, Water and Sewer and Trash Collection Services (2). "

Attached please find a document that states a 3.5% change over the most recent 12 months prior to April 1, 2021. To allow for a 30-day notice, we will implement the CPI Increase of 3.5% increase for the billing period of June 1, 2021 to the residential services we provide the City of Villa Rica.

The new rate effective June 1, 2021 will be \$12.66 per cart, per month for Curbside Collection.

Thank you again for the opportunity to support the solid waste program in your community. We thank you for your business and we look forward to continuing our relationship with the City of Villa Rica. In the meantime, if you have any questions or concerns, please do not hesitate to call me.

Best Regards,

Mandy Renova

Mandy Renova
Government Contracts Manager
770-856-4634

Databases, Tables & Calculators by Subject

Change Output Options:

From: To:

☐ include graphs ☐ include annual averages

[More Formatting Options](#) 

Data extracted on: May 5, 2021 (9:50:13 PM)

CPI for All Urban Consumers (CPI-U)

Series Id: CUSR0000SEHG

Seasonally Adjusted

Series Title: Water and sewer and trash collection services in U.S. city average, all urban consumers, seasonally adjusted

Area: U.S. city average

Item: Water and sewer and trash collection services

Base Period: DECEMBER 1997=100

Download:  [xlsx](#)

Year	Mar
2020	250.214
2021	259.055

12-Month Percent Change

Series Id: CUSR0000SEHG

Seasonally Adjusted

Series Title: Water and sewer and trash collection services in U.S. city average, all urban consumers, seasonally adjusted

Area: U.S. city average

Item: Water and sewer and trash collection services

Base Period: DECEMBER 1997=100

Download:  [xlsx](#)

Year	Mar
2020	3.2
2021	3.5



Agenda Item: _____

CITY OF VILLA RICA

City Council Packet

SUBJECT: Sanitation Rate Increase
AGENDA DATE: May 11, 2021

DATE PREPARED: May 6, 2021
PREPARED BY: Sarah Andrews

AMOUNT: \$10,550 (4 months)
GL ACCOUNT #: 540-344110
FUNDING SOURCE: Solid Waste Fund Operating Budget
BUDGETED ITEM? No

PURPOSE: To adopt proposed rate increase for garbage pickup in concurrence with CPI-U increase from GFL Environmental.

BACKGROUND:

Currently, all residential customers in the City limits pay \$14.50 for their first cart and \$5.00 for any additional carts. On May 6, 2021, GFL Environmental presented a 3.5% rate increase to City staff. The rate increase will be effective June 1, 2021.

STAFF RECOMMENDATION: To increase all garbage cart rates by \$0.45. The first cart will be increased from \$14.50 to \$14.95. Additional carts will be increased from \$5.00 to \$5.45.

IMPACT: A rate increase effective June 1, 2021 will offset the 3.5% rate increase from GFL Environmental effective June 1, 2021.

MOTION: I move to approve the sanitation rate increase of \$0.45 for all garbage carts effective for bills after June 1, 2021.



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Approval of Professional Services Agreement with Croy Engineering, LLC

AGENDA DATE: May 11, 2021

DATE PREPARED: May 01, 2021

PREPARED BY: Tom Barber

AMOUNT: n/a

GL ACCOUNT #: n/a

FUNDING SOURCE: n/a

BUDGETED ITEM? n/a

PURPOSE: To approve a professional services agreement with Croy Engineering to assist in the design of traffic and safety improvements on Liberty Road south of the I-20 bridge.

BACKGROUND: Greg Teague, long-time associate of Bobby Elliott, is a P.E. with Croy Engineering. Greg brings with him years of experience dealing with challenges like Liberty Road.

STAFF RECOMMENDATION: Staff recommends approval of the attached agreement.

IMPACT: The southern leg of Liberty Road below I-20 was not designed or constructed to handle the current mix of car and truck traffic in a safe and efficient manner. As future development occurs the gap between capacity and requirement will widen. A conceptual design which identifies the needed improvements will allow the City to begin the job of locating the necessary funding.

MOTION: I move to approve the consultant master services agreement with Croy Engineering, LLC and to authorize the City Manager and City Clerk to take the necessary steps to execute the agreement.



April 29, 2021

Tom Barber
City Manager
City of Villa Rica
571 W Bankhead Hwy
Villa Rica, GA 30180

Re: Proposal for Professional Engineering Services

Mr. Barber,

Croy Engineering, LLC ("Engineer") would like to thank you for the opportunity to provide this proposal agreement for professional services on the above referenced project.

General Scope:

Task Orders as assigned.

A Professional Services Agreement and our hourly fees are attached and identified as Exhibit "B" and "D". Industry standard reimbursable expenses have not been included in the fees. Expenses may include, but are not limited to; copies, overnight delivery and postage, and courier charges. Also attached is Croy Engineering's Standard Professional Services Agreement. If the proposal is acceptable, please sign the last page of the Professional Services Agreement and return one copy for our records and to initiate the start of services.

Again, we thank you for the request. If you have any questions, please do not hesitate to contact us. We look forward to working with you on this project.

Sincerely,
Croy Engineering, LLC

Chris Rideout, P.E.
Project Manager

Attachments

- Exhibit "A" Scope of Services
- Exhibit "B" Professional Services Agreement
- Exhibit "C" Client Information
- Exhibit "D" Hourly Rate Schedule

Cc: Reading File

Gregory D. Teague, P.E.



Exhibit "A"

Basic Scope of Services:

Provide professional engineering services on an on-call basis.

Services to be scoped with fees negotiated as each Task Order is assigned.



Exhibit "B"

PROFESSIONAL SERVICES AGREEMENT

THIS IS AN AGREEMENT effective as of _____ ("Effective Date") between:

Client:
City of Villa Rica
571 W. Bankhead Hwy
Villa Rica, Ga. 30180
Attn: Tom Barber, City Manager

Engineer: **Croy Engineering, LLC.**
200 Cobb Parkway North
Building 400, Suite 413
Marietta, Georgia 30062

FOR PROFESSIONAL CIVIL ENGINEERING SERVICES FOR THE FOLLOWING PROJECT:

Project Address: TBD

Client and Engineer in consideration of their mutual covenants as set forth herein agree as follows:

ARTICLE 1 - SERVICES OF ENGINEER

1.01 Scope

Engineer shall provide the Basic and Additional Services set forth herein and in Exhibit A.

ARTICLE 2 - CLIENT'S RESPONSIBILITIES

2.01 General

Client shall execute this agreement in a timely manner. If Client has authorized the Engineer to proceed with Scope of Services by verbal and/or email prior to furnishing a signed copy of this agreement, the Client is bound by the terms of this agreement.

ARTICLE 3 - TIMES FOR RENDERING SERVICES

3.01 General

Engineer's services and compensation under this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion. Unless specific periods of time or specific dates for providing services are specified in this Agreement, Engineer's obligation to render services hereunder will be for a period which may reasonably be required for the completion of said services.

ARTICLE 4 - PAYMENTS TO ENGINEER

4.01 Methods of Payment for Services and Reimbursable Expenses of Engineer

For Basic Services: Client shall pay Engineer for Basic Services performed or furnished under Exhibit A.

For Additional Services: Client shall pay Engineer for Additional Services performed on an Hourly Basis at the rates identified in or a Negotiated Lump Sum Fee for the Additional Services. Standard Hourly Rates can furnished upon written request.

For Reimbursable Expenses: Client shall pay Engineer for Reimbursable Expenses incurred by Engineer and Engineer's Consultants, at a rate of cost plus 0%.

4.02 Payments

Payment of Invoices: Invoices are due and payable upon receipt. If Client fails to make any payment due Engineer for services and expenses within 30 days after receipt of Engineer's invoice the amounts due Engineer will be increased at the rate of 1.5% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day. In addition, Engineer may, after giving seven days written notice to Client, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges.

Disputed Invoices: In the event of a disputed or contested invoice, only that portion so contested may be withheld from payment, and the undisputed portion will be paid. It is the Client's responsibility to identify any disputed invoices. Invoices not identified within 30 days will not be eligible for dispute.

ARTICLE 5 - OPINIONS OF COST

5.01 Opinions of Probable Construction Cost

Engineer's opinions of probable Construction Cost provided for herein are to be made on the basis of Engineer's experience and qualifications and represent Engineer's best judgment as an experienced and qualified professional generally familiar with the industry. However, since Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that proposals, bids, or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by Engineer. If Client wishes greater assurance as to probable Construction Cost, Client shall employ an independent cost estimator. Engineer assumes no responsibility for the accuracy of opinions of Project Construction Costs.

ARTICLE 6 - GENERAL CONSIDERATIONS

6.01 Standards of Performance

The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of Engineer's profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services.



6.02 Geotechnical Subsurface Exploration

Croy Engineering recommends that the Client retain a Geotechnical firm to make a subsurface investigation for rock and other subsurface conditions not observable from the surface. Provided that the Client has conducted such subsurface investigations as Croy recommends, Croy will, working in concert with the Client, perform the Civil Design to accommodate the Client's desires so as to minimize the anticipated amount and cost of rock removal. If, after site work construction commences, the site work contractor encounters greater amounts of rock than anticipated, Croy will, at the Client's expense, redesign the civil work to accommodate that rock, with the cost of such redesign to be paid to Croy by Client as Additional Services. The Client acknowledges that notwithstanding the Geotechnical investigation, that Croy is not responsible for costs associated with the rock removal should more rock, or other subsurface conditions, be encountered beyond what the Geotechnical report indicates.

6.03 Use of Documents

All Documents are instruments of service in respect to this Project, and Engineer shall retain an ownership and property interest therein (including the right of reuse at the discretion of the Engineer) whether or not the Project is completed. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.

6.04 Termination

The obligation to provide further services under this Agreement may be terminated by either party upon written thirty day notice.

6.05 Controlling Law

This Agreement is to be governed by the law of the state in which the Project is located.

6.06 Successors, Assigns, and Beneficiaries

Client and Engineer each is hereby bound to the other party to this Agreement. Neither Client nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

6.07 Dispute Resolution

It is expressly agreed between Client and Croy Engineering, that any claims, disputes or other matters or questions ("Dispute") arising out of the performance of this Agreement or the breach thereof, will initially be referred to Mediation, unless the parties agree to waive the Mediation requirement and to proceed directly to Arbitration. Any such Dispute, which is not resolved through Mediation, shall be resolved by binding Arbitration, pursuant to the Construction Industry Rules of the American Arbitration Association, then in force and effect. Client further agrees that in the event that Croy Engineering may be involved in an Arbitration with other parties; that is involved with or relates to the performance of this Agreement, Client agrees to join in such Arbitration. Notwithstanding any provision of this Agreement to the contrary, should Croy Engineering be involved in litigation, which may involve the Client, Client agrees to the joinder in the aforesaid litigation.

6.08 Hazardous Environmental Condition

To the extent known to Client has disclosed to the best of its knowledge to Engineer the existence of all asbestos, PCB's, petroleum, hazardous waste, or radioactive material located at or near the Project Site, including type, quantity and location. It is acknowledged by both parties that Engineer's Basic Scope of Services does not include any services related to a Hazardous Environmental Condition.

6.09 Allocation of Risks

A. Client acknowledges that even with accomplishment of Geotechnical and Subsurface Investigations, it is impossible to determine the exact composition of subsurface conditions, and that the risk and costs of addressing such necessarily are born solely by the Client.

1. To the fullest extent permitted by law, Client shall indemnify and hold harmless Engineer, Engineer's officers, directors, partners, employees, and Engineer's consultants from and against any and all costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals, and all court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of Client or Client's officers, directors, partners, employees, and Client's consultants with respect to this Agreement or the Project.

2. To the fullest extent permitted by law, Engineer's total liability to Client and anyone claiming by; through; or under Client for any cost, loss, or damages caused in part by the negligence of Engineer and in part by the negligence of Client or any other negligent entity or individual, shall not exceed the percentage share that Engineer's negligence bears to the total negligence of Client, Engineer, and all other negligent entities and individuals.

3. In addition to the indemnity provided under paragraph 6.09.A.1 of this Agreement, and to the fullest extent permitted by law, Client shall indemnify and hold harmless Engineer and its officers, directors, partners, employees, and Engineer's Consultants from and against all costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals, and all court or arbitration or other dispute resolution costs) caused by, arising out of or resulting from a Hazardous Environmental Condition, provided that (i) any such cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than completed Work), including the loss of use resulting there from, and (ii) nothing in this paragraph 6.09.A.3 shall obligate Client to indemnify any individual or entity from and against the consequences of that individual's or entity's own negligence or willful misconduct.

B. Limitation of Engineer's Liability:

Engineer's Liability Limited to Amount of Engineer's Compensation. To the fullest extent permitted by law, and notwithstanding any other provision of this Agreement, the total liability, in the aggregate, of Engineer and Engineer's officers, directors, partners, employees, agents, and Engineer's Consultants, and any of them, to Client and anyone claiming by; through; or under Client for any and all claims, losses, costs, or damages whatsoever arising out of, resulting from or in any way related to the Project or the Agreement from any cause or causes, including but not limited to the negligence, professional errors or omissions, strict liability or breach of contract, or warranty express or implied of Engineer or Engineer's officers, directors, partners, employees, agents, or Engineer's Consultants, or any of them, shall not exceed the total compensation received by Engineer under this Agreement.

6.10 Notices

Any notice required under this Agreement will be in writing, addressed to the appropriate party at its address on the signature page and given personally, or by registered or certified mail postage prepaid, or by a commercial courier service. All notices shall be effective upon the date of receipt.



6.11 Survival

All express representations, indemnifications, or limitations of liability included in this Agreement will survive its completion or termination.

6.12 Severability

Any provision or part of the Agreement held to be void or unenforceable under any Laws or Regulations shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Client and Engineer, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

6.13 Waiver

Non-enforcement of any provision by either party shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

ARTICLE 7 - EXHIBITS AND SPECIAL PROVISIONS

7.01 Exhibits Included

Exhibit "A" Scope of Services
Exhibit "B" Professional Service Agreement
Exhibit "C" Project Data

7.02 Total Agreement

This Agreement constitutes the entire agreement between CLIENT and ENGINEER and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

ARTICLE 8 - ACCEPTANCE

By signing below the Client agrees to the Terms and Conditions of this Agreement.

Client:

City of Villa Rica
571 W Bankhead Hwy
Villa Rica, GA 30180

Mr, Tom Barber

Title: _____ Date _____

Croy Engineering, LLC.
200 Cobb Parkway North
Building 400, Suite 413
Marietta, GA 30062

Representative: _____

Title: _____ Date _____



Exhibit "C"

Please provide the following information for our project setup and accounting.

Client: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Fax: _____

Email: _____

Billing Address if Different than Above: _____

Special Billing Information: _____

Project Information: _____

Exhibit "D"

Croy Billable Rates Table

Principal	\$265	Construction Manager	\$140
Senior Professional 5	\$250	Field Representative 3	\$110
Senior Professional 4	\$230	Field Representative 2	\$100
Senior Professional 3	\$200	Field Representative 1	\$90
Senior Professional 2	\$185		
Senior Professional 1	\$160	ROW Agent 3	\$135
Project Manager	\$140	ROW Agent 2	\$110
Engineer 4	\$150	ROW Agent 1	\$90
Engineer 3	\$140		
Engineer 2	\$125	Landscape Architect 2	\$150
Engineer 1	\$115	Landscape Architect	\$125
Designer 2	\$110		
Designer 1	\$100	Survey Manager 3	\$150
Project Coordinator	\$100	Survey Manager 2	\$125
Technician/Planner 3	\$90	Survey Manager 1	\$110
Technician/Planner 2	\$85	Survey Field Manager	\$140
Technician	\$75	3 Man Survey Crew	\$225
CADD 4	\$75	2 Man Survey Crew	\$170
CADD 3	\$65	1 Man Survey Crew (GPS)	\$115
Administration 3	\$85	SUE Crew	\$180
Administration 2	\$65		



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Approval of Task Order Number One with Croy Engineering, LLC

AGENDA DATE: May 11, 2021

DATE PREPARED: May 01, 2021

PREPARED BY: Tom Barber

AMOUNT: \$16,500

GL ACCOUNT #: not yet assigned

FUNDING SOURCE: General Fund

BUDGETED ITEM? no

PURPOSE: To approve task order number one with Croy Engineering, LLC to assist in the conceptual design of traffic and safety improvements on Liberty Road.

BACKGROUND: The City has introduced Greg Teague to the challenges, present and future, of Liberty Road south of I-20. Greg and the Croy staff will work with City staff, our elected officials, and the public to create a conceptual design to make the road safe and efficient.

STAFF RECOMMENDATION: Staff recommends approval of task order number one.

IMPACT: Limiting our focus to just the conceptual plan will enable us to iteratively design the necessary traffic and safety improvements in such a way they gain the approval of staff, our elected officials, GDOT, our residents, and other interested parties before moving ahead with the engineering phase.

MOTION: I move to approve task order number one with Croy Engineering, LLC for conceptual design services and to authorize the Mayor and City Clerk to take the necessary steps to execute task order one.

Task Order #1

Client: City of Villa Rica

Engineer: Croy Engineering, LLC

Task Order Description:

Task Order #1 -

Concept plan development for improvements to Liberty Road from just south of I-20 to Pool Road

Task Order Not-To-Exceed Price:

Task Order # 1

\$16,500

CROY ENGINEERING:

Signature: 

Print Name: Chris Rideout

Title: Project Manager

Date: April 29, 2021

CITY OF VILLA RICA:

Signature: _____

Print Name: _____

Title: _____

Date: _____

A. Introduction

The City of Villa Rica has requested Croy Engineering to assist them with developing potential operational and geometric improvements along Liberty Road from just south of I-20 to south of Pool Road.

B. Scope of Work

Utilizing available digital imagery, Croy will prepare 2 concepts highlighting potential improvements along the Liberty Road corridor. Improvements that will be considered include, horizontal and vertical adjustments, intersection realignments, roundabouts, signals, and shoulder improvements.

Concepts will be provided to the City for review and comments will be incorporated into the concepts.

Deliverables:

2 – Concept Drawings in PDF and Hard Copy format.

C. Task Order Cost

Costs shall be on a time and material basis using the billable rates table included in our professional services contract with the City. The Task Order has a Not to Exceed threshold of \$16,500.

D. Assumptions/Exceptions

Construction Cost Estimates will not be provided.

No field survey efforts.

No public involvement.

One round of review comments.

A traffic study is not included.



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Approval of Task Order Number Two with Croy Engineering, LLC

AGENDA DATE: May 11, 2021

DATE PREPARED: May 01, 2021

PREPARED BY: Tom Barber

AMOUNT: \$9,500

GL ACCOUNT #: not yet assigned

FUNDING SOURCE: General Fund

BUDGETED ITEM? no

PURPOSE: To approve task order number two with Croy Engineering, LLC to assist in the conceptual design of improvements at the intersection of Liberty Road and Edge Road.

BACKGROUND: The City has asked Greg Teague to propose on a conceptual design of improvements to the intersection of Liberty Road and Pool Road just south of I-20. Greg and the Croy staff will work with City staff, our elected officials, the public, and developers to create a conceptual design to make the intersection safe and efficient.

STAFF RECOMMENDATION: Staff recommends approval of task order number two.

IMPACT: Limiting our focus to just the conceptual plan will enable us to iteratively design the necessary intersection improvements in such a way they gain the approval of staff, our elected officials, GDOT, our residents, and other interested parties before moving ahead with the engineering phase.

MOTION: I move to approve task order number two with Croy Engineering, LLC for conceptual design services and to authorize the Mayor and City Clerk to take the necessary steps to execute task order two for an amount not to exceed \$9,500.

Task Order #2

Client: City of Villa Rica

Engineer: Croy Engineering, LLC

Task Order Description:

Task Order #2 -

Concept plan development for a roundabout at the intersection of Liberty Road and Edge Road

Task Order Not-To-Exceed Price:

Task Order # 2

\$9,500

CROY ENGINEERING:

Signature: 

Print Name: Chris Rideout

Title: Project Manager

Date: April 29, 2021

CITY OF VILLA RICA:

Signature: _____

Print Name: _____

Title: _____

Date: _____

A. Introduction

The City of Villa Rica has requested Croy Engineering to assist them with developing a concept for a potential roundabout at the intersection of Liberty Road and Edge Road.

B. Scope of Work

Utilizing available digital imagery, Croy will prepare a concept drawing for a roundabout at the intersection of Liberty Road and Edge Road. The concept will be designed to accommodate the anticipated truck movements in the area along with the potential development in the northwest quadrant.

A draft of the concept will be provided to the City for review and any comments will be incorporated into the final concept.

Croy will also prepare a high-level construction cost estimate utilizing current GDOT bid tabs.

Deliverables:

Concept Drawing in PDF and Hard Copy format.

Construction Cost Estimate

C. Task Order Cost

Costs shall be on a time and material basis using the billable rates table included in our professional services contract with the City. The Task Order has a Not to Exceed threshold of \$9,500.

D. Assumptions/Exceptions

No field survey efforts.

No public involvement.

One round of review comments.

A traffic study will not be prepared.



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Excess (Supplemental) Cyber Liability Insurance
AGENDA DATE: 5/11/2021

DATE PREPARED: 5/5/2021
PREPARED BY: Sarah Andrews

AMOUNT: \$9,649
GL ACCOUNT #: 100-1110-523100
FUNDING SOURCE: General Fund Operating Budget
BUDGETED ITEM? No

PURPOSE: To approve supplemental cyber liability insurance through Crum and Forrester.

BACKGROUND: When we applied for renewal of our liability insurance with GIRMA, there was an application for supplemental cyber liability insurance. The liability insurance that council approved at the April 13, 2021 meeting included limited cyber coverage.

- \$250,000 per incident
- \$10,000 deductible

This coverage does include access to a panel of resources for mediation in needed, for instance, in the case of a ransomware attack.

The supplemental insurance was put out to an alternative market. Crum and Forrester came back with a proposal for the City.

- \$1,000,000 per incident
- \$10,000 deductible

Crum and Forrester quoted a *price of \$11,096, with a preferred price of \$9,649*. To qualify for the preferred price, you might have multi-factor authentication in place, which we are in the process of implementing.

STAFF RECOMMENDATION: To approve the excess cyber liability insurance.

IMPACT: Increases our monetary protection in the event of a cyber-attack.

MOTION: I move that we approve Excess Cyber Liability Insurance through Crum and Forrester for the preferred price of \$9,649.

From: [Pyle, Kristin](#) on behalf of [GIRMAchanges](#)
To: [Sarah Andrews](#)
Cc: [Murray, Meghan](#)
Subject: GIRMA Excess Cyber- Indication (City of Villa Rica)
Date: Tuesday, April 27, 2021 12:59:23 PM
Attachments: [eCrime Supplemental Questionnaire SC-APP-017 \(11-20\).docx](#)
[MFA Affidavit.pdf](#)

Dear Sarah Andrews,

Thank you for submitting an Excess Cyber application with your GIRMA renewal. We have approached an excess cyber carrier and they have provided indication pricing for the city. The results of our marketing effort are outlined below:

Carrier Name	Intermediary Name	Line of Business	Response	Estimated Premium	Commission
Crum and Forrester	CRC	Excess Cyber	Indication	\$11,096 Preferred: \$9,649	10%

We would like to bring the following exclusions, subjectivities and warranties to your attention:

- Preferred pricing is subject to MFA Affidavit (multi factor authentication) for remote access to network
- eCrime Supplemental Application is required if you would like \$100,000 sublimit for Social Engineering coverage

This indication has no specific expiry date; however, insurers may withdraw or vary it at any time.

Should you bind coverage, you will receive an invoice under a separate cover. Payment is due within 30 days.

Claims can be reported 24/7/365 to the Willis Claims Center.

Email: claimscentral@willis.com

Phone: (877) 725-9620

Important Notices

Sub-broker / Intermediary / Wholesaler

In our search for your insurance coverage we used the following wholesalers:

Line of Business	Wholesaler
Excess Cyber	CRC

Surplus Lines

The premium quoted for the Excess Cyber insurance is subject to Surplus Lines Tax which is in addition to the premium charged.

Commission Disclosure

Willis Towers Watson negotiates commission rates with certain insurers on a corporate level. If the rate on your placement is lower than the negotiated rate, Willis Towers Watson will collect the difference directly from the insurer. These payments will not increase the cost of your insurance or otherwise impact your premium or rates. Details of these arrangements where there is compensation beyond the base compensation detailed in your Quote Proposal can be found at:

http://www.willis.com/About_Willis/The_Willis_Way/Commission_Rates/.

Brokerage, Terms, Conditions & Disclosures

An order to bind the coverage presented in this proposal shall be deemed an acceptance and agreement that this proposal is subject to Willis Towers Watson's Brokerage Terms, Conditions, and Disclosures "Brokerage Terms" that are incorporated as part of this proposal and available at: <https://www.willistowerswatson.com/-/media/WTW/Notices/Brokerage-Terms-Conditions-Disclosures.pdf>. If you would like a hard copy of the "Brokerage Terms," please contact any member of your Willis Towers Watson service team. If you have received a hard copy of this proposal, a hard copy of the "Brokerage Terms" is included for your convenience.

Please review this proposal and advise of any changes or questions you may have. To request the binding of coverage, please contact me by phone or e-mail.

Kristin Pyle, CISR
Client Manager

Willis Towers Watson
Willis Towers Watson Southeast, Inc.
5 Concourse Parkway | 18th Floor | Atlanta, GA 30328

M 813 230 8756
kristin.pyle@willistowerswatson.com

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C&F Simple Cyber GIRMA RISK CONTROLS AFFIDAVIT

Wherever the word “Applicant” is used, it will be deemed to include all insureds.

Applicant Name: _____
Legal name of the Applicant to be insured

Please accept this as confirmation that the controls checked below have been fully implemented and are currently in place: (Please check all that apply)

☐ Multi-Factor Authentication (MFA) is required for all remote access to the Applicant's computer networks/systems

Comments*: _____
* Please use a separate sheet, if necessary.

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION OR CONCEALS, FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME AND SUBJECTS SUCH PERSON TO CRIMINAL AND CIVIL PENALTIES.

The signatory declares that (s)he is authorized by the Applicant to sign this application on behalf of all prospective insureds and that to the best of his/her knowledge the statements herein are true. The signatory agrees that if the information supplied in this application and the materials submitted therewith should change between the date this application is signed and the effective date of the proposed insurance, the signatory shall immediately notify the **Insurer** of such and shall provide the **Insurer** with information that would complete, update or correct the application or materials submitted therewith.

Signature: _____
Must be signed by a duly authorized officer on behalf of all insureds.

Printed Name: _____

Title: _____

Date: _____



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: General Election 2021 – Qualifying Dates & Early Voting Dates

AGENDA DATE: May 11, 2021

DATE PREPARED: April 30, 2021

PREPARED BY: Tom Barber

AMOUNT: n/a

GL ACCOUNT #: n/a

FUNDING SOURCE: n/a

BUDGETED ITEM? n/a

PURPOSE: To establish the qualifying dates and the early voting dates for the General Election to be held on Tuesday, November 2, 2021.

BACKGROUND: A General Election will be held on Tuesday, November 2, 2021.

Qualifying Dates (3 Days):

Monday, August 16, 2021 8:00 am – 5:00 pm

Tuesday, August 17, 2021 8:00 am – 5:00 pm

Wednesday, August 18, 2021 8:00 am – 5:00 pm

Location of Qualifying: City Hall

Early Voting Dates (3 Weeks):

1. October 12 – October 16, 2021 9:00 am – 5:00 pm

2. October 18 – October 23, 2021 9:00 am – 5:00 pm

3. October 25 – October 29, 2021 9:00 am – 5:00 pm

*Week 1 and Week 2 and Week 3 at Carroll County Election Office

*Week 1 and Week 2 at Douglas County Courthouse

*Week 3 at Powell Park in Villa Rica (for Villa Rica voters living in either Carroll County or Douglas County)

STAFF RECOMMENDATION: Approval of the Qualifying Dates and Early Voting Dates for the November 2 General Election.

IMPACT:

MOTION: I move to approve the Qualifying Dates and Early Voting Dates for the November 2, 2021 General Election as listed above.



Agenda Item: _____

CITY OF VILLA RICA

City Council Packet

SUBJECT: Douglas County Tax Collection IGA

AGENDA DATE: May 11, 2021

DATE PREPARED: May 10, 2021

PREPARED BY: Sarah Andrews

AMOUNT: Estimated at \$12,000

GL ACCOUNT #: 100-1510-571005

FUNDING SOURCE: General Fund Operating Budget

BUDGETED ITEM? Yes

PURPOSE: To approve Intergovernmental Agreement with Douglas County for Tax Collection through the Tax Commissioner's Office.

BACKGROUND:

In November 2018, an intergovernmental agreement was executed between Villa Rica and Douglas County for the collection of municipal ad valorem taxes. The City was to pay \$2 per parcel to the County and \$2 per parcel to the Tax Commissioner.

This IGA is also for \$2 per parcel to the County and \$2 per parcel to the Tax Commissioner.

STAFF RECOMMENDATION: To approve agreement for tax collection.

IMPACT:

MOTION: I move to approve the tax collection intergovernmental agreement with Douglas County and authorize the Mayor and City Clerk to take necessary steps to execute the agreement.

STATE OF GEORGIA
COUNTY OF DOUGLAS

AGREEMENT

THIS AGREEMENT made and entered into this 1 day of JANUARY 2021, by and between the City of Villa Rica, Georgia, a Georgia Municipal Corporation (hereinafter referred to in this Agreement as "City"), and Douglas County, Georgia, (hereinafter referred to in this agreement as "County"), pursuant to the authority granted in the Georgia Constitution, Article IX, Subsection 3, Paragraph I and O.C.G.A. 48-5-359. 1.

WITNESSETH THAT:

WHEREAS, City has need for billing and collecting of municipal ad valorem taxes and desires that such service of billing and collecting of municipal ad valorem tax payments be done through the County Tax Commissioner's Office in the same manner as the County ad valorem taxes are billed and collected; and

WHEREAS, the County is engaged in the billing and the collection of County ad valorem taxes and is agreeable to performing these services for the City as hereinafter outlined and upon the terms and conditions herein set forth;

NOW, THEREFORE, in consideration of one (\$1.00) dollar, the receipt of which is hereby acknowledged and other valuable consideration, it is hereby agreed between the parties as follows:

1. Covenants and Agreements of County

- A. County agrees that it will, beginning January 1, 2021, and for a period of four years thereafter, ending December 31, 2024, assess, bill and collect municipal ad valorem taxes owed to the City.
- B. City shall pay to Douglas County a fee of four dollars (\$4.00) for each bill sent to an owner of property within the City of Villa Rica ("Billing Rate.") Such compensation shall be further subdivided by the County Tax Commissioner two dollars (\$2.00) and Douglas County two dollars (\$2.00) for each bill. This payment is substantially approximate to the cost to the County of providing this service and is compensation to the Tax Commissioner for the additional responsibility. This payment shall be rendered to the Tax Commissioner annually at the time the Tax Commissioner compiles the tax digest for the City and the digest is approved by the State of Georgia.
- C. County shall bill each owner of property located within the City of Villa Rica and Douglas County for ad valorem taxes in accordance with

the millage rate as may be determined by the City Council. The County shall supply to the City a list of all property owners billed and the amount billed at the time the tax digest is prepared and shall remit to the City all amounts collected on a weekly basis.

- D. The County shall have the authority to invoke any remedy permitted to the City for collection of said taxes.
- E. County shall furnish and maintain adequate and competent equipment to generate and store necessary billing documents.
- F. County shall employ and equip adequate staff capable of performing the duties assigned to them by County.
- G. Any subcontracted portion of this agreement by the County shall be done at no further cost to the City.

2. Mutual Agreements:

- A. County shall maintain adequate records showing each billed person's address and the amount of billing and collection and shall make the same available to the City for it to determine the accuracy of billing and collection.
- B. In addition to all other rights and powers pertaining to the City by virtue of this contract or otherwise, the City reserves the right to terminate and cancel this contract and all rights and privileges of the County hereunder in the event that the County violates any provision of this contract or any rule, order or determination of the City Mayor and City Council made pursuant to this Contract, except where such violation is without fault or through excusable neglect.

Such notice of termination and cancellation to the County in no way affect any of the City's rights already accrued under this contract or any provision of the law.

- C. Mayor and Council of the City of Villa Rica shall have the sole authority to set the millage rate for ad valorem taxes for the City of Villa Rica. However, the yearly millage rate must be provided the Tax Commissioner on a timely basis so as to not delay the mailing of tax notices.

This agreement supersedes all prior agreements related to the subject matter hereof. Notwithstanding anything herein to the contrary, this Agreement shall not affect the parties' Service Delivery Agreement, except as specifically provided herein. The

parties acknowledge that the County will be allowed to change the Billing Rate during the term hereof only by mutual written agreement by the parties hereto.

IN WITNESS WHEREOF the City and County have caused these presents to be signed by their proper authorities and the City and County seals to be affixed hereto as of the day and year first above written.

DOUGLAS COUNTY BOARD OF COMMISSIONERS

Dr. Romana Jackson-Jay
Chairman

Commissioner

Commissioner

Commissioner

Commissioner

Greg Baker
Tax Commissioner

Attest:
Rose W. [Signature]
County Clerk (seal)



CITY OF VILLA RICA

Mayor

Attest:

City Clerk (seal)



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Discussion of Cover Sheets Used for Board Member Appointments

AGENDA DATE: May 11, 2021

DATE PREPARED: April 30, 2021

PREPARED BY: Tom Barber

AMOUNT: n/a

GL ACCOUNT #: n/a

FUNDING SOURCE: n/a

BUDGETED ITEM? n/a

PURPOSE: To discuss the preparation of cover sheets used by City Council when appointing candidates to our volunteer boards.

BACKGROUND: Councilmember McPherson has requested a discussion of how cover sheets are prepared when candidates are being recommended for appointment.

STAFF RECOMMENDATION:

IMPACT:

MOTION: For discussion only.

CITY COUNCIL
GIL MCDOUGAL, MAYOR
MICHAEL YOUNG, MAYOR PRO TEM
SHIRLEY MARCHMAN
DANNY CARTER
LESLIE MCPHERSON
MATTHEW MOMTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
770.459.7000 | VILLARICA.ORG

MEETING MINUTES OF THE CITY COUNCIL

Holt-Bishop Justice Center, 101 Main Street
Tuesday, April 13, 2021 | 6:00 pm

Meeting Call to Order (Mayor Gil McDougal)

Mayor Gil McDougal called the meeting to order at 6:00 pm.

Present: Mayor Gil McDougal, Mayor Pro Tem Michael Young, Councilwoman Shirley Marchman, Councilman Danny Carter, Councilwoman Leslie McPherson, and Councilman Matthew Momtahan.

Invocation: Pastor Barry Thompson, Midway Church

Pledge of Allegiance: Officer Thomas Thornhill, Villa Rica Police Department

Ceremonial Presentations (Mayor & Council)

City Clerk Alisa Doyal was recognized for receiving the Clerks Masters Education Management Development Program Certificate.

Guest Speakers:

- **University of West Georgia Strategic Plan – Dr. Brendan B. Kelly, President**
- **Keep Carroll Beautiful – Martyna Griffin, Executive Director**

Adoption of Agenda (Mayor Gil McDougal)

Councilman Michael Young made the request to table Agenda Item C4, D1, and E1, and Councilman Matthew Momtahan requested to add C6-Temple Street One-way Conversion Concept Video. Councilman Danny Carter moved to adopt the amended agenda.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Matthew Momtahan, Councilman
AYES:	Carter, Momtahan, Marchman, McPherson, Young

Council Updates (Subjects of General Interest and Concern)

None.

Public Comment (We ask that you sign in for Public Comment before the meeting begins. Please state your Name and Address for the record and limit your comments to three minutes.)

One public comment.

A. Consent Agenda (Mayor Gil McDougal)

Mayor Gil McDougal presented the Consent Agenda Items for approval.

1. Reappointment of Janice McGhee to Cemetery Commission (Term: 04/01/2021-03/31/2024).
2. Appoint Doug Lang to Historic Preservation Commission.
3. Appoint Angelia O'Neal to Historic Preservation Commission.
4. Revision to Grass Height Restriction as Pertaining to the Nuisance Code for the City of Villa Rica.
5. 2021 Pine Mountain Gold Museum Staff Training.
6. 2021 Main Street Staff Training.
7. 2021 Community Development Grant Disbursement for Thomas A. Dorsey Birthplace Festival.
8. Approval of Items for Auction.
9. Approval of Professional Services Agreement with Gilbert, Harrell, Sumerford & Martin Law Firm.
10. Proposal with Dan Reuter to Assist with Annexation and Related Services.
11. 2021 Professional Services Agreement with RCS Productions, Inc.
12. Renew Lease Agreement of Old Library to Southeastrans for One Year.
13. Approval of Professional Services Agreement with EXP US Services, Inc.
14. Proposal by TRC and Bob McGinnis to Obtain Easements for Sewer Line Installation.
15. Surplus Item to Sell.
16. Fork Lift Purchase.
17. Conners Road Booster Pump Station Upgrade.
18. Trojan UV System Annual Maintenance Agreement.
19. Approval of Work Order 17003.13 with Brennan Jones to Design Lift Station on North Van Wert Road.
20. 2021 HR Training.
21. 2021 Budget Amendments #102-123
22. Renewal with GIRMA for Property Liability Insurance for the Period of May 1, 2021 to May 1, 2022.
23. Approval of Revised Intergovernmental Agreement (IGA) with Carroll County Tax Commissioner.

Councilman Michael Young moved to adopt the Consent Agenda.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Michael Young, Councilman
SECONDER:	Danny Carter, Councilman
AYES:	Young, Carter, Marchman, McPherson, Momtahan

B. Governing Body (Mayor Gil McDougal)

1. Approval of Minutes
 - a. Meeting Minutes of March 9, 2021.
 - b. Special Called Meeting Minutes of March 26, 2021.

Councilman Michael Young moved to approve the Meeting Minutes of March 9, 2021 and the Special Called Meeting Minutes of March 26, 2021.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Michael Young, Councilman
SECONDER:	Shirley Marchman, Councilwoman
AYES:	Young, Marchman, Carter, McPherson, Momtahan

2. Sponsorship of Clean Up Event by Keep Carroll Beautiful

Councilman Michael Young moved to approve a sponsorship of \$1,000 to Keep Carroll Beautiful for their 2021 recycling event in Villa Rica.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Michael Young, Councilman
SECONDER: Danny Carter, Councilman
AYES: Young, Carter, Marchman, McPherson, Momtahan

C. Community Development (Bobby Elliott, Director)

1. RA-02-20: Rezoning for 450 Edge Road, Parcel #01450250026 and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)
 Councilman Danny Carter moved to return this item to the Planning and Zoning Commission for their review as it has been changed.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Matthew Momtahan, Councilman
AYES: Carter, Momtahan, Marchman, McPherson, Momtahan

2. VA-05-21: Variance Request for ServPro, Parcel #01470250019-Veteran's Memorial Highway and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)
 Councilman Michael Young moved to table the variance request from ServPro/Ricky Wilson of Villa Rica, GA to get the Sidewalk Bank Ordinance presented to the Council.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Michael Young, Councilman
SECONDER: Danny Carter, Councilman
AYES: Young, Carter, Marchman, McPherson, Momtahan

3. VA-04-21: Variance Request for Winchester Real Estate Investment Company, Parcel# V07 0140003 (Ronald Johnson, Planning and Zoning Specialist)
 Public Hearing: One citizen made a public comment.
 Councilwoman Leslie McPherson moved to approve the variance request from Winchester Real Estate Investment Company of Villa Rica, GA to encroach into the 75' impervious buffer by no more than 29,895 sq. ft. and the 50' stream buffer by no more than 21,809 sq. ft. as indicated in the supplied encroachment plan exhibit, with the condition that this approval shall be revoked should the Georgia Department of Environmental Protection Division or US Army Corps of Engineers deny requests to disturb the 25' stream buffer or any wetland areas.

RESULT: **ADOPTED (VOTE:4-1)**
MOVER: Leslie McPherson, Councilwoman
SECONDER: Danny Carter, Councilman
AYES: McPherson, Carter, Marchman, Momtahan
NAYS: Young

4. Ordinance to Revise Section 400 of the City of Villa Rica Development Regulations, Section 403.11, Wastewater Lift Stations (Bobby Elliott, Director)
 Tabled until the May 11, 2021 Regular City Council Meeting per the motion to Adopt the Agenda.
5. Amendment to Article 3 to the Villa Rica Zoning Ordinance (Chris Montesinos, Deputy Director)
 Informational presentation only.

6. Temple Street OneWay Conversion Concept Video (Chris Montesinos, Deputy Director)
Informational presentation only.

D. Economic Development (Janet Chumley, Manager)

1. Replace an Existing Member of Convention and Visitors Bureau Board (Sharon Dupont, Tourism Manager)
Tabled until the May 11, 2021 Regular City Council Meeting per the motion to Adopt the Agenda.

E. Utilities (Pete Zorbanos, Director)

1. Resolution of Support for changes to State Highway System and Acceptance of Two Roadways
Tabled until the May 11, 2021 Regular City Council Meeting per the motion to Adopt the Agenda.

F. Finance (Sarah Andrews, CFO)

1. Financial Update: February 2021

G. City Manager (Tom Barber)

1. Approval of Task Order Number One with EXP US Services, Inc.
Councilman Michael Young moved to approve task order number one with EXP US Services, Inc. for conceptual design services, not to exceed the cost of \$10,000.00, and to authorize the Mayor and City Clerk to take the necessary steps to execute the task order.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Michael Young, Councilman
SECONDER:	Danny Carter, Councilman
AYES:	Carter, Young, Marchman, McPherson, Momtahan

City Manager's Report (Tom Barber)

City Manager Tom Barber gave an update of city projects.

Executive Session (David Mecklin, City Attorney)

City Attorney David Mecklin announced the Council will be going into Executive Session to discuss the following:

1. Meeting to discuss or vote to enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-3(b)(D).
2. Meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code Section 50-14-3(b)(2).

Councilman Michael Young moved to go into Executive Session, seconded by Councilman Danny Carter. Vote: 5/0.

Councilman Danny Carter moved to return to Regular Session, seconded by Councilman Matthew Momtahan.

Councilman Danny Carter moved to extend the City Manager's annual contract for a salary of \$150,000.00 per year and a monthly car allowance of \$650.00 per month. Councilwoman Shirley Marchman seconded the Motion. Vote: 5/0. The vote was unanimous.

Adjournment

Councilman Shirley Marchman moved to adjourn, seconded by Councilwoman Leslie McPherson. Vote: 5/0. The vote was unanimous. Mayor Gil McDougal adjourned the meeting.

Gil McDougal, Mayor

Alisa Doyal, City Clerk



CITY OF VILLA RICA

City Council Packet

SUBJECT: RA-01-21 and VA-03-21 – Parcel #: V02 00700212 -Hwy 61 and 101 (Industrial Blvd) at Leggett Drive

CITY COUNCIL AGENDA DATE: May 11, 2021

DATE: March 30, 2021

PREPARED BY: Ronald Johnson, Planning and Zoning Specialist

FISCAL IMPACT: N/A

PUBLIC HEARING REQUIRED: Yes

PURPOSE: Rockhaven Homes, LLC of Brookhaven, GA has requested a rezoning of a 21.74-acre vacant parcel from Commercial Medium-Density (C2) to Single-Family Attached (SFA) as well as two variances for reduced front yard setbacks and reduced townhome widths.

BACKGROUND: The applicant proposes to construct 210 townhomes on the parcel. The parcel was previously zoned General Commercial (GC) under the Unified Development Code and was laterally rezoned to C2 upon the citywide rezoning in 2020. The applicant has not stated their reasoning or hardships necessitating the desired variances.

STAFF RECOMMENDATION: Staff recommends denial of both the variances and the rezoning.

PLANNING COMMISSION: N/A

MOTION:

1. I move to deny the rezoning request from Rockhaven Homes, LLC of Brookhaven, GA for a rezoning from C2 to SFA.
2. I move to deny the variance request from Rockhaven Homes, LLC of Brookhaven, GA to reduce front yard setbacks from 25' for interior streets to 20' for interior streets.
3. I move to deny the variance request from Rockhaven Homes, LLC of Brookhaven, GA to reduce the townhome widths required from 24' wide to 20' wide.



City of Villa Rica

APPLICATION FOR ZONING ORDINANCE TEXT/ZONING MAP AMENDMENT

☐

OFFICIAL ZONING ORDINANCE TEXT AMENDMENT

☐

OFFICIAL ZONING MAP AMENDMENT

CHECK ONE

Please complete the blanks with the information requested. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Day of Application: _____

APPLICANT

Applicant Name: Rockhaven Homes, LLC

Address: 4062 Peachtree Rd NE #277 City: Brookhaven State: GA Zip Code: 30319

Phone: 770-519-1668 Fax: _____ Email: bhughes@rockhavenga.com

Agent Name: Joseph H. Fowler, Esq.

Address: P.O. Box 489 City: Douglasville State: GA Zip Code: 30133

Phone: 770-920-2000 Fax: 770-920-9119 Email: jfowler@hrflegal.com

Owner Name (If different from applicant): Matthews & Redding GP

Address: 215 West Bankhead Hwy. City: Villa Rica State: GA Zip Code: 30180

Phone: 770-231-8572 Fax: _____ Email: _____

NOTE: A NOTARIZED STATEMENT SIGNED BY THE PROPERTY OWNER(S) AUTHORIZING THE APPLICANT TO MAKE THIS REQUEST SHALL BE ATTACHED TO THIS APPLICATION).

REZONING REQUEST

Existing Zoning: C-2 Requested Zoning: SFA

Property Address: Industrial Blvd. City: Villa Rica State: GA Zip Code: 30180

Nearest Intersection: Leggit Dr. & Industrial Blvd.

Present Use of Property: Vacant Land

Proposed Use: Single Family Fee Simple Attached Townhomes

Size of Tract: 21.74 Land Lot Numbers: 162 Districts: 6th

Gross Density: 9.62 Unit(s) Per Acre Net Density: _____ Unit(s) Per Acre

Property Tax Parcel Number: V02 0070012



Case # _____

REZONING APPLICATION REVIEW

FOR OFFICE USE ONLY

Total Amount Paid: \$ _____ Cash _____ Check Number _____ Received by: _____
Application Checked by: _____ Date: _____ Map Number(s): _____
Planning Commission: Approved ☐ Denied ☐ Date: _____ Conditions: No ☐ Yes ☐ How Many: _____
City Council Decision: Approved ☐ Denied ☐ Date: _____ Conditions: No ☐ Yes ☐ How Many: _____
Manager's Signature _____ Date: _____

The procedure for amending the Official Zoning Ordinance text, or making changes to the Official Zoning Map are set forth in Section 2.03.B of the Official Zoning Ordinance. Generally, the amendment process involves review by the Community Development Director and the Planning Commission with a final review and decision by the City Council.

I, Brad Hughes, hereby state that all of the above statements and statements contained in the documents submitted with this application are true.
ROCKHAVEN HOMES, LLC

 1/5/21
Signature Date
By: Brad Hughes

REQUIRED MATERIALS TO ACCOMPANY THE APPLICATION FOR THE OFFICIAL ZONING ORDINANCE TEXT AMMENDMENT

The Community Development Director may waive informational requirements upon finding that the information is not required to determine compliance with the Official Zoning Ordinance.

- ☐ 1. Proposed text amendment;
- ☐ 2. Written statement describing reasons for the proposed text amendment; and
- ☐ 3. Any other exhibits as may be required by the Community Development Director.



Case # _____

REZONING APPLICATION REVIEW

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Has the applicant¹ made, within two (2) years immediately preceding the filing of the application for rezoning, campaign contributions aggregating for \$250.00 or more made gifts having in the aggregate a value of \$250.00 or more to a member of a City Council or Planning Commission who will consider the applicant: Yes ☐ No ☒

If YES, the applicant and the attorney representing the applicant must file a disclosure report with the City within ten (10) days after this application is first filed. Please supply the following information will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar Amount of Campaign Contribution	Description of Gift \$250.00 or Greater Given to Board Member



Case # _____

REZONING APPLICATION REVIEW

**REQUIRED MATERIALS TO ACCOMPANY THE APPLICATION FOR THE OFFICIAL
ZONING MAP AMMENDMENT**

The Community Development Director may waive informational requirements upon finding that the information is not required to determine compliance with the Official Zoning Ordinance.

- ☐ 1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- ☐ 2. A site development plan prepared in conformance with submittal requirements (unless waived by the Community Development Director or requested zoning district is Single-Family Residential).
- ☐ 3. A written statement describing the following:
 - a. The proposed uses and the effect the proposed use may have on surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Code;
 - b. Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan;
 - c. The areas which are most likely to be directly affected by such change and the likely effects;
 - d. Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts or other social or economic conditions in the areas and zoning districts affected;
 - e. The proposed time schedule and phasing for development;
 - f. The source/method for providing utility/infrastructure services to the property;
 - g. A description of existing road conditions and any new roads to be included in the development will have on existing road and traffic conditions; and
 - h. A list of any state, federal or other public agencies' approvals or permits required for the proposed development.
- ☐ 4. Additional exhibits, as may be required by the Community Development Director.

We certify that the foregoing information is true and correct, this 5th day of January, 2021.

Rockhaven Homes, LLC

Applicant's Name – Printed

Signature of Applicant Brad Hughes

Joseph H. Fowler

Applicant's Attorney (If applicable) – Printed

Signature of Applicant's Attorney (If applicable)

Sworn to and subscribed before me this _____ day of _____, 20____.

Notary Public

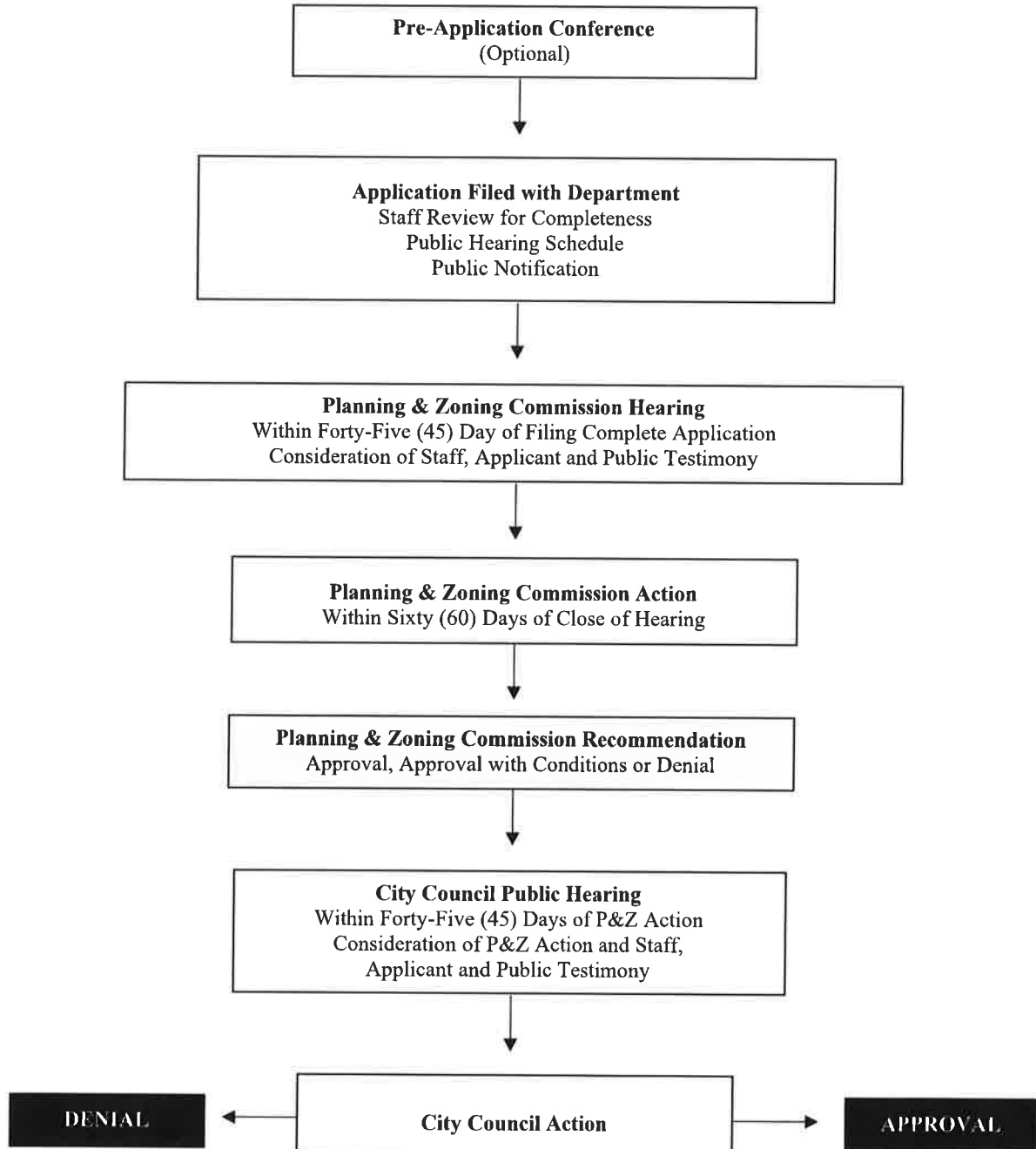
¹ APPLICANT MEANS ANY INDIVIDUAL OR BUSINESS ENTITY (CORPORATION, PARTNERSHIP, LIMITED PARTNERSHIP, FIRM ENTERPRISE, FRANCHISE, ASSOCIATION OR TRUST) APPLYING FOR REZONING OR OTHER ACTION.



Case # _____

REZONING APPLICATION REVIEW

PROCESS



AFFIDAVIT

Authorization by Property Owner

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Carroll County, Georgia.

I authorize the persons named below to act as applicant in the pursuit of the obtaining the Rezoning for this property.

Name of Applicant: Rockhaven Homes, LLC

Address:

4062 Peachtree Road, N.E., #277

Brookhaven, GA 30319

Telephone Number: 770-231-8572

MATTHEWS & REDDING GP

JEFF MATTHEWS, General Partner

Owner (Printed Name)

Jeff Matthews G.P.
Signature of Owner

1-07-2021
Date

Personally Appeared Before Me:

Who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.

Janice Bass
Notary Public

1-7-2021
Date



Summary Description of Project

Rockhaven Homes has the parcel of 21.74 acres under contract of the construction of single family attached townhomes at a density of 9.62 units per acre, generally in keeping with the site plan that is provided with the application. Prices will likely begin in the low \$200,000's, depending upon market conditions.

The project is consistent with the character and nature of uses in the vicinity of the property and is consistent with the City's Comprehensive Plan.

This project will commence upon the completion of rezoning and the issuance of the land disturbance permit.

All required infrastructure will be completed in connection with the development of the site .

Industrial Boulevard provides adequate access to the property and to all nearby transportation corridors. Internal roadways and drives will be constructed as the site is developed.

4457 079

199045

2008-006945
 CARROLL COUNTY, GEORGIA
 REAL ESTATE TRANSFER TAX

PAID 0
 DATE 12-30-08

Heather H. Hines
 CLERK OF SUPERIOR COURT

Cross reference Deed Book 799, Page 574
 Carroll County Records

FILED
 CARROLL COUNTY
 CLERK OF SUPERIOR COURT
 08 DEC 30 AM 11:09

Prepared by and return to:

J. Marshall Martin
 Foltz Martin, LLC
 Five Piedmont Center, Suite 750
 Atlanta, Georgia 30305

QUITCLAIM DEED

THIS INDENTURE, is made this the 22nd day of December 2008, between **JEFF R. MATTHEWS**, as party of the first part (hereinafter called the "Grantor") and **MATTHEWS & REDDING, GP**, a Georgia general partnership, as party of the second part (hereinafter called the "Grantee").

The words "Grantor" and "Grantee" shall include their respective heirs, successors and assigns where the context requires or permits.

WITNESSETH, That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration in hand paid and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the Grantee, all that tract or parcel of land lying and being in Carroll County, Georgia, and being more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD, the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any way appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

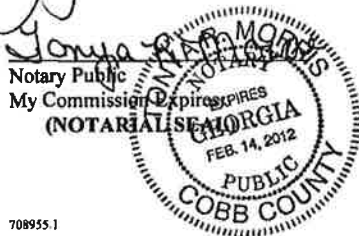
IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal, the day and year first above written.

Signed, sealed and delivered
 in the presence of:

GRANTOR

[Signature]
 Unofficial Witness

[Signature: Jeff R. Matthews]
 Jeff R. Matthews



~~(CORPORATE SEAL)~~

EXHIBIT "A"

LEGAL DESCRIPTION

 TRACT I

All my undivided one-half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land lot 163 of the 6th District of Carroll County, Georgia, and being within the corporate limits of the City of Villa Rica, Georgia and more particularly described as follows:

To find the point of beginning, commence at the intersection of the northerly right of way of U.S. Highway 78 with the westerly right of way of Georgia Highway No. 101-Industrial Boulevard, and from said point run thence along the right of way of Georgia Highway No. 101-Industrial Boulevard, north 02 degrees 04 minutes 41 seconds east 46.58 feet; thence along said right of way north 10 degrees 45 minutes 18 seconds east 823.16 feet to a point, said point being the True Point of Beginning; thence north 85 degrees 44 minutes 54 seconds west 659.13 feet to an iron pin found; thence north 04 degrees 43 minutes 09 seconds east 1586.49 feet to a point on the southerly edge of the proposed right of way of Leggett and Platt Drive; thence south 59 degrees 13 minutes 29 seconds east 145.31 feet to a point; thence in a southeasterly direction and following a curve to the right an arc distance of 133.08 feet to a point (said arc being subtended by a chord with a bearing of south 50 degrees 42 minutes 17 seconds east and a distance of 132.59 feet from the last described point); thence south 42 degrees 11 minutes 05 seconds east 465.00 feet to a point; thence in a southeasterly direction and following a curve to the left an arc distance of 212.38 feet to a point (said arc being subtended by a chord with a bearing of south 60 degrees 42 minutes 30 seconds east and a distance of 208.70 feet from the last described point), said point also being the intersection of the southerly edge of the right of way of Leggett and Platt Drive, and the westerly edge of the right of way of Georgia Highway 101; thence south 10 degrees 46 minutes 06 seconds west along the right of way of Georgia Highway 101, 1043.63 feet to the point of beginning.

The captioned premises being designated as Tract 2 consisting of 21.75 acres as shown per survey for Neal McCreary, Burnell Redding and Jack Helms, prepared November 30, 1987, by Douglas C. Crawford, Surveyor, which plat of survey by reference thereto is incorporated in this description.

Being the same property as described in that deed dated February 10, 1989 from Delta Villa Rica Land Company to Burnell Redding, Jack Helms as recorded in Deed Book 620, Page 699, Clerk's Office, Carroll Superior Court.

TRACT II

All my undivided one-half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 191 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

Beginning at the northeast corner of Land Lot 191 of Carroll County, Georgia, being the common corner of Land Lot 195, 394, 190 and 191, said district and section; thence south 3 degrees 59 minutes 12 seconds west a distance of 634.75 feet to the True Point of beginning; thence north 67 degrees 12 minutes 32 seconds east a distance of 43.71 feet along the southeasterly edge of the right of way of Rose Street; thence north 58 degrees 19 minutes 57 seconds east a distance of 72.58 feet; thence continuing along said right of way north 30 degrees 13 minutes 43 seconds east a distance of 33.71 feet to a point; thence south 38 degrees 46 minutes 50 seconds east a distance of 569.87 feet to an iron pin; thence north 53 degrees 44 minutes 38 degrees 30 seconds east a distance of 335.00 feet to a point; run thence south 38 degrees 08 minutes 30 seconds east a distance of 472 feet to a point; thence north 27 degrees 36 minutes 15 seconds east a distance of 219 feet to a point on the southerly edge of a 60 foot right of way for Rockmart Highway; thence south 76 degrees 27 minutes 18 seconds east a distance of 23.70 feet along said right of way to a point on the southwest corner of the intersection of the Rockmart Highway right of way with the Southern Railroad right of way; thence south 4 degrees 51 minutes 40 seconds west a distance of 639.30 feet along the 50 foot right of way for Southern Railroad; thence north 85 degrees 8 minutes 20 seconds west a distance of 88 feet to a point; thence north 00 degrees 23 minutes 00 seconds west, a distance of 90 feet to a point; thence south 89 degrees 37 minutes 00 seconds west a distance of 231 feet to a point; thence south 00 degrees 23 minutes 00 seconds east a distance of 178.61 feet to a point; thence north 86 degrees 59 minutes 00 seconds west a distance of 834.14 feet to an iron pin; thence north 00 degrees 36 minutes 42 seconds east a distance of 332.61 feet to an iron pin; thence north 03 degrees 17 minutes 29 seconds east a distance of 689.00 feet to the Point of Beginning.

The above described property being more fully shown as Tract IV containing 20.84 acres on that plat entitled "Property Survey for Delta Villa Rica Land Company" by Douglas C. Crawford, R.L.S. #1833 dated August 12, 1988 and said survey and the description contained therein is hereby incorporated by reference.

The above described property being shown as Tract IV on that deed dated October 10, 1989 from Delta Villa Rica Land Company to Burnell Redding and Jack Helms as recorded in Deed Book 620, Page 701, Clerk's Office, Carroll Superior Court.

TRACT III

All my undivided one-Half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 163 of the 6th District and 5th Section of Carroll County, Georgia, and being within the corporate limits of the City of Villa Rica, Georgia, more particularly described as follows:

To find the point of beginning, commence at the intersection of the northerly right of way of U. S. Highway 78 with the westerly right of way of Georgia Highway Number 101-Industrial Boulevard and from said point run thence north 02 degrees 04 minutes 41 seconds east along the westerly right of way of Georgia Highway No. 101-Industrial Boulevard a distance of 46.58 feet to a point; thence north 10 degrees 45 minutes 18 seconds east along the westerly right of way of Georgia Highway No. 101-Industrial Boulevard, a distance of 823.16 feet to an iron pin; thence north 10 degrees 46 minutes 06 seconds east along the westerly edge of Georgia Highway No. 101-Industrial Boulevard, a distance of 1043.36 feet to a point at the intersection of said highway with the southerly edge of the proposed right of way of Leggett and Platt Drive (60 foot right of way); thence continuing north 10 degrees 46 minutes 06 seconds east along Georgia Highway 101 a distance of 60 feet to a point at the intersection of the westerly edge of Georgia Highway No. 101 with the northerly edge of the proposed right of way of Leggett and Platt Drive; thence in a westerly and northwesterly direction along the right of way of Leggett and Platt Drive, and following the curvature thereof, a distance of 852.85 feet to a point, said point being the True Point of Beginning; thence north 59 degrees 13 minutes 29 seconds west along Leggett and Platt Drive 111.31 feet to a point; thence north 04 degrees 43 minutes 09 seconds east 242.33 feet to a point; thence south 63 degrees 25 minutes 06 seconds east 107.75 feet to a point; thence south 04 degrees 43 minutes 09 seconds west 251.10 feet to the point of beginning.

The captioned premises being 0.57 acres, as shown per survey for Jack Helms and Burnell Redding prepared January 30, 1989, by Douglas C. Crawford, Surveyor, which plat of survey by reference thereto is incorporated in this description.

The above described property being the same property as shown in that deed dated February 10, 1989 from Delta Villa Rica Land Company to Burnell Redding and Jack Helms as recorded in Deed Book 620, Page 697, Clerk's Office, Carroll Superior Court.

TRACT IV

All my undivided one-half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 194 of the 6th District of Carroll County, Georgia, and being more particularly described as follows;

Beginning at an iron pin located in the southwest corner of Land Lot 194, said iron pin being located at the common corner of Land Lot 194, 191, 195 and 190, said district and section; thence north 1 degree 53 minutes 52 seconds east a distance of 460.44 feet along the west land lot line of land Lot 194 to an iron pin found; thence north 62 degrees 43 minutes 24 seconds east a distance of 153.70 feet to an iron pin found; thence north 62 degrees 43 minutes 24 seconds east a distance of 21.10 feet to a point, said point being located on the westerly side of the Rockmart Highway (60 foot right of way); thence south 17 degrees 44 minutes 27 seconds east a distance of 352.20 feet along said right of way to an iron pin; thence south 82 degrees 15 minutes 33 seconds west a distance of 169.40 feet to an iron pin; thence south 2 degrees 35 minutes 27

seconds east a distance of 182.00 feet to an iron pin which is located on the south land lot line of Land Lot 194; thence north 89 degrees 35 minutes 42 seconds west a distance of 47.16 feet to a point; thence south 89 degrees 33 minutes 43 seconds west a distance of 71.14 feet to the original Point of Beginning.

The above described property being more fully shown as Tract II containing 2.05 acres on that plat entitled "Property Survey for Delta Villa Rica Land Company, Burnell Redding" by Douglas C. Crawford, R.L.S. #1833 dated 8/12/88, revised December 16, 1988 and said survey and the description contained therein is hereby incorporated by reference. The above described property being the same as Tract II as shown in that deed dated February 10, 1989 from Delta Villa Rica Land Company to Burnell Redding and Jack Helms as recorded in Deed Book 620, Page 701, Clerk's Office, Carroll Superior Court.

TRACT V

All my undivided one-half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 191 of the 6th District of Carroll County, Georgia, and being more particularly described as follows;

Beginning at a point on the southeast corner of the intersection of Rose Street and Second Street in the town of Villa Rica, Georgia, and run thence north 89 degrees 9 minutes 34 seconds east a distance of 150 feet along the southerly edge of the 50 foot right of way of Second Street to the True Point of Beginning; thence north 89 degrees 9 minutes 34 seconds east a distance of 76.35 feet along said right of way to a point; thence south 35 degrees 33 minutes 53 seconds east a distance of 134.25 feet to a point; thence south 53 degrees 24 minutes 40 seconds west a distance of 180 feet to a point; thence north 02 degrees 37 minutes 53 seconds west a distance of 215.61 feet to the Point of Beginning.

The above described property being the same as Tract III in that deed dated February 19, 1989 from Delta Villa Rica Land Company to Burnell Redding and Jack Helms as recorded in Deed Book 620, Page 701, Clerk's Office, Carroll Superior Court.

TRACT VI

All my undivided one-half interest in and to the following described property, to-wit:

Being in the Sixty District and Fifth Section of Carroll County, Georgia in the City of Villa Rica, a part of original Land Lot Number 191, located on what is known as Rockmart Road or Highway No. 101, and more particularly described as follows: The said tract being Lot No. 34 as shown on plat of property of Villa Rica Mills, Inc. as surveyed by E. M. Smith, registered Surveyor No. 293 of Dalton, Georgia, on November 9, 1960, and recorded in Plat Book 5, Page 6, in the Office of the Clerk of the Superior Court of Carroll County, Georgia, and situated thereon is one frame dwelling. The said plat and record is herein incorporated by reference for a more complete description. Said property being known as 614 Rockmart Road, Villa Rica, Georgia.

The above described property being the same as that property described in that deed dated September 4, 1992 from Mai B. Sparti to Jack Helms and Burnell Redding, d/b/a Helms and Redding Company.

TRACT VII

All my undivided one-half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 196, of the 6th District and 5th Section of Carroll County, Georgia and being known and designated as Lot No. 34, as shown and delineated on a certain survey entitled "IRON CREEK", prepared by Edwin Thorpe McConnell, Georgia Registered Land Surveyor No. 741, dated April, 1985, and recorded in Plat Book 28, Page 117, in the Office of the Clerk of the Superior Court of Carroll County, Georgia. Said plat and the record thereof are by this reference incorporated herein.

The above described property being the same as that property as described in that deed dated October 22, 1987, as recorded in Deed Book 578, Page 642, Clerk's Office, Carroll Superior Court.

RECORDED DEC 31 2008
KENNETH SKINNER, CLERK

**Summary**

Parcel Number V02 0070012
Location Address INDUSTRIAL BLVD
Legal Description V/21.75AC IND BLVD V19 VR19
 (Note: Not to be used on legal documents)
Class C4-Commercial
 (Note: This is for tax purposes only. Not to be used for zoning.)
Tax District VILLA RICA (District 03)
Millage Rate 32.315
Acres 21.75
Homestead Exemption No (S0)
Landlot/District 162 / 6
Water Public
Sewer Public Sewer
Electric Electricity
Gas Pipe Gas
Topography Level
Drainage Good
Road Class City
Parcel Road Access Paved

[View Map](#)**Owner**

REDDING BURNELL & MATTHEWS JEFF
 2381 LEE PLACE
 VILLA RICA, GA 30180

Tax Commissioner Link[Click here for tax information.](#)**Land**

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	Ind-Ind Blvd North	Acres	312,761	0	0	21.75	0

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
12/22/2008	4457 079		\$0	Quitclaim	MATTHEWS JEFF R	MATTHEWS & REDDING GP
10/1/1993	799 574		\$100,000	Part Interest		MATTHEWS JEFF-1/2INT

Valuation

	2020	2019	2018	2017	2016
Previous Value	\$401,250	\$401,250	\$401,250	\$527,360	\$527,360
Land Value	\$401,250	\$401,250	\$401,250	\$401,250	\$527,360
+ Improvement Value	\$0	\$0	\$0	\$0	\$0
+ Accessory Value	\$0	\$0	\$0	\$0	\$0
= Current Value	\$401,250	\$401,250	\$401,250	\$401,250	\$527,360

Photos



Overview



Legend

- Parcels
- Roads

Parcel ID V02 0070012
Class Code Commercial
Taxing District VILLA RICA
Acres 21.75

Owner REDDING BURNELL & MATTHEWS
JEFF
2381 LEE PLACE
VILLA RICA, GA 30180

Physical Address INDUSTRIAL BLVD

Assessed Value Value \$401250

Last 2 Sales

Date	Price	Reason	Qual
12/22/2008	0	QC	U
10/1/1993	\$100000	PI	U

(Note: Not to be used on legal documents)

Date created: 1/6/2021

Last Data Uploaded: 1/5/2021 6:20:43 PM

Developed by  **Schneider**
GEOSPATIAL





VICINITY MAP
NE

LAND USE SUMMARY

TOTAL SITE AREA: 21.75 AC
 PROPOSED ZONING: SFA SINGLE FAMILY ATTACHED
 TOTAL UNITS: 210
 TYPICAL LOT SIZE: 20' X 100' W/ SINGLE CAR GARAGE
 NET DENSITY: 11.5 U/A
 NET ACREAGE: 11.5 AC
 COMMON SPACE AREA: 7.48 AC (34.3% of TOTAL AREA)
 SEA DEVELOPMENT STANDARDS
 TYPICAL LOT SIZE: 20' X 100' W/ SINGLE CAR GARAGE
 (VARIANCE REQUIRED)
 FRONT SETBACK: 15' (15' REDUCTION VARIANCE REQUIRED)
 SIDE SETBACK: 10' BETWEEN BUILDINGS



770-317-1400
 10000 N. HUNTER ROAD, SUITE 100
 ATLANTA, GA 30327



10000 N. HUNTER ROAD, SUITE 100
 ATLANTA, GA 30327
 STOCKBRIDGE - CUNNING - NEWMAN

Villa Rica Townhomes

Villa Rica, Georgia

January 7, 2021

PROPOSED REZONING ON PROPERTY
BY ROCKHAVEN HOMES, LLC
NOTICE OF CONSTITUTIONAL CHALLENGE

BACKGROUND

Matthews & Redding GP (the "Owner") is the Owner of land located on Industrial Boulevard in Villa Rica, Georgia (the "Property"). An application for the rezoning from C-2 to SFA for townhomes was filed by Rockhaven Homes, LLC (the "Applicant").

PROPOSED USE

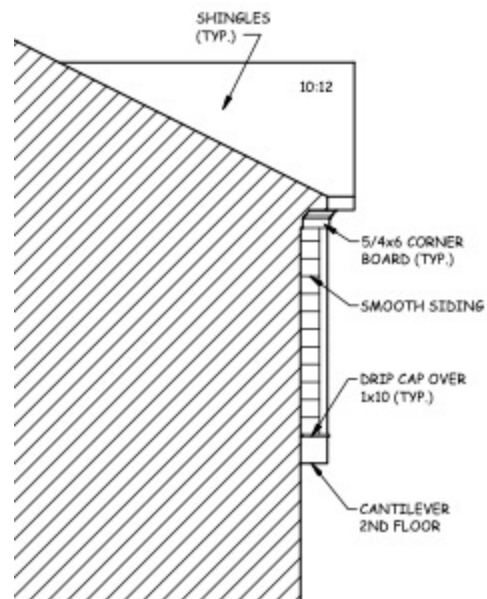
The Applicant proposes to construct single family attached townhomes on the Property.

CONSTITUTIONAL REQUIREMENTS

In accordance with the requirements of various Georgia cases, including *OS Advertising Company v. Rubin*, 263 Ga. 761 (1994); *Cobb County Board of Commissioners v. Poss*, 257 Ga. 393 (1987); and *Gradous v. Board of Commissioners*, 256 Ga. 469 (1989), it is hereby submitted that, if not rezoned as requested by this action, the Villa Rica City Zoning Ordinance presently in effect, with any amendments, which prohibits the Project, is unconstitutional in that it renders the Property unusable and destroys its marketability. As such, the current zoning classification constitutes a taking of the Property without just and adequate compensation and without due process of law in violation of the Fourteenth Amendment to the United States Constitution and in violation of Article I, Section I, Paragraph I and Article I, Section III, Paragraph I(a) of the Constitution of the State of Georgia. In this connection, the Property Owner and Applicant contend that to deny the requested rezoning constitutes an abuse of the police power, in that such denial bears no substantial relation to the public health, safety, morality, or general welfare. Accordingly, such action would constitute a deprivation of Property rights without due process

of law. Furthermore, to deny the rezoning results in relatively little gain or benefit to the public while inflicting serious injury or loss on the Owner and Applicant. To this extent, such action is confiscatory and void. The Property is best suited for townhomes use, as proposed by the Applicant, and to deny the rezoning renders the Property unusable and destroys its marketability. This is a taking of Property without just compensation and without due process of law. In reality, the denial of the requested rezoning causes a detriment to public good, in that the public can be served by the facilities proposed by the Applicant given the particular location of this Property.

Accordingly, we respectfully urge your approval of the zoning request.





National Flood Hazard Layer FIRMMette



84°56'38"W 33°44'18"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

84°56'1"W 33°43'48"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
OTHER FEATURES		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

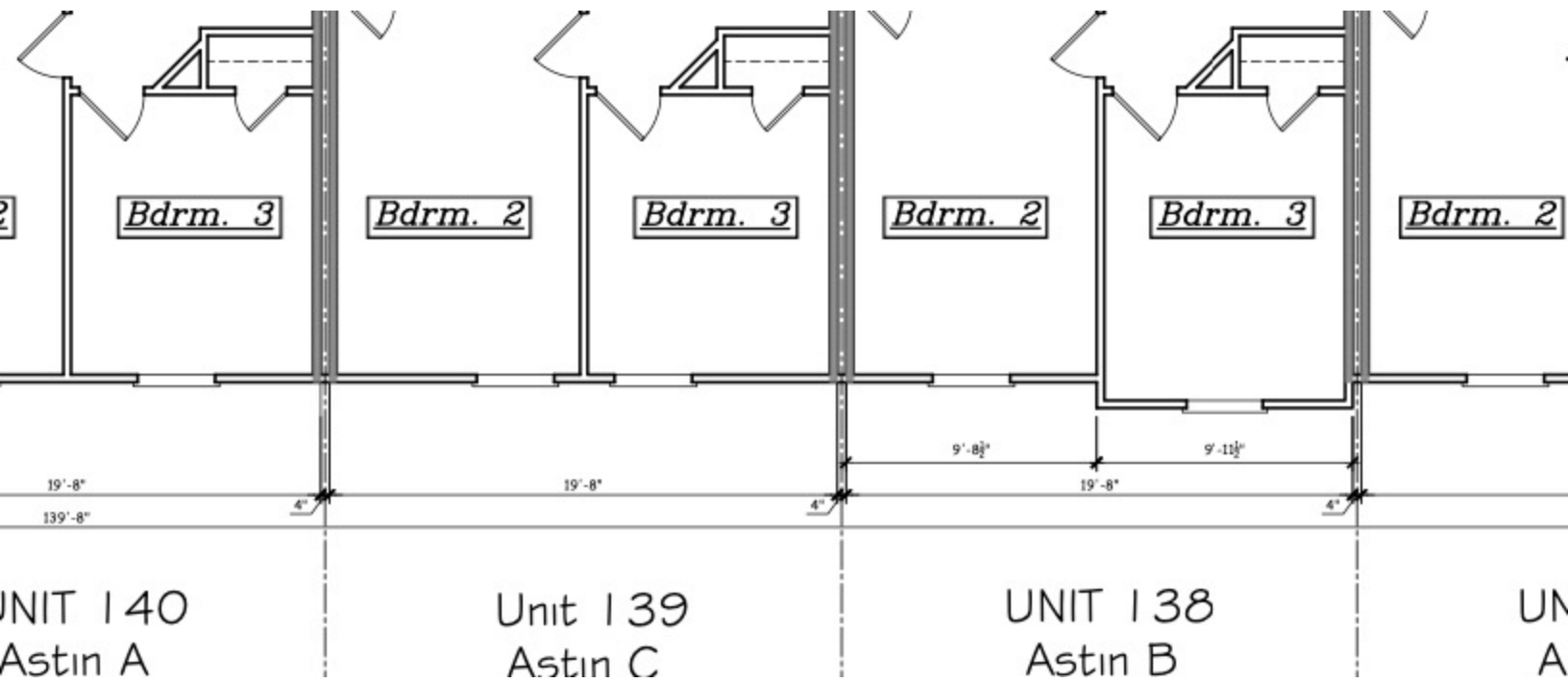


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/9/2021 at 2:35 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





April 7, 2021

Kirsten Pilgrim, Board Administrator
Community Development Department
City of Villa Rica
571 W. Bankhead Highway
Villa Rica, GA 30180

Re: Planning Report
Rockhaven Homes, LLC
RA-01-21 and VA 03-21
Hwy 61 and 101 (Industrial Blvd) at Leggett Drive
Land Lot 162, District 6th
Parcel # V02 0070012
Acreage: 21.74
Ward: 5
City Council Member: Danny Carter
Planning Board Member: Mac Pilgrim
City of Villa Rica, Carroll County, Georgia

Dear Mrs. Pilgrim:

Rockhaven Homes, LLC (the Applicant) seeks a rezoning of a 21.74-acre vacant parcel from Commercial Medium-Density (C2) to Single-Family Attached (SFA) as well as two variances for reduced front yard setbacks and reduced townhome widths. The variances are outlined in Section D.

The following documents, which were submitted in support of the Application, have been reviewed:

1. Application for Zoning Map Amendment, dated January 5, 2021;
2. Application for Special Exception (Development Standards Variance), dated January 7, 2021;
3. Affidavit/Authorization by Property Owner, dated and notarized on January 7th, 2021;
4. Applicant Summary Description of Project, undated and unsigned;
5. Quitclaim deed, dated December 22nd, 2008, signed by Jeff R. Matthews;
6. Qpublic Carroll County Tax Assessor information sheet, undated;
7. Concept Plan, dated February 10th, 2021, prepared by Falcon Design Consultants;
8. Color rendering of site plan, undated, prepared by Falcon Design.



A. Existing Conditions

The subject property is located west of Industrial Boulevard and south of Leggett Drive. The parcel has frontage along both roadways (1,047' of frontage along Industrial Boulevard and 955' of frontage along Leggett Drive). The property is relatively flat with a stream that cuts through the southeast corner of the lot and continues parallel to Industrial Boulevard within the right-of-way (and outside of the property boundary).

The parcel is currently zoned Commercial Medium-Density (C-2) and features undeveloped land. The parcel does not border a city boundary/unincorporated area. The parcel is directly adjacent to the Industrial Medium-Density (I-2) zone to the west and north (across Leggett Drive). Two I-2 zoned parcels to the north of the parcel are undeveloped. The parcel is also adjacent to existing residential uses to the east and west. The western residential uses are single-family homes and are zoned I-2, whereas the residential structures to the east across Industrial Boulevard are zoned Multifamily Low-Density (MF1) and inclusive of Arbor Bend Apartments, Hampton Court Apartments and Hampton Court Apartments II. The southern border of the property is adjacent to Carroll County Fire Rescue Station 9 and raw undeveloped land, both zoned C-2.

Surrounding Properties:

TABLE 1 – SURROUNDING LAND USES		
	Current Zoning	Land Use Character Area
North	Industrial Medium-Density (I-2)	Industrial Conservation/Open Space
East	Multifamily Low-Density (MF1)	Urban Village Conservation/Open Space
South	Commercial Medium-Density (C-2)	Industrial Conservation/Open Space
West	Industrial Medium-Density (I-2)	Industrial



Figure 1: Carroll County GIS image of the site, with the property boundaries approximated.



B. Site History

The parcel is vacant and has been vacant throughout its existence. The Unified Development Code (UDC) zoned the property as General Commercial (GC). The Community Development Office does not have record of any previous applications being filed for this property. In November of 2020, the City Council rezoned the property to Commercial Medium-Density (C2), which was a lateral change from the previous GC zone, at the request of the property owner. The city initially proposed to rezone the property Industrial Medium-Density (I2), however the property owner submitted documents to establish a vested right in the commercial zoning designation upon objection.

C. Proposed Development

The applicant's request to rezone the property to SFA requires the implementation of several residential design standards and other sections of the development ordinance that are applicable to residential and townhouse developments.

The applicant is under contract for the 21.74-acre parcel in question and proposes a 210-unit single-family attached townhome community with a density of 9.62 dwelling units per acre. The applicant states in their Summary Description of the Project that the townhomes will have price points beginning in the low \$200,000s "depending on market conditions". Townhomes are a permitted use in the SFA zoning district.

Design Standards and Bulk Requirements

The applicant is expected to follow all architectural design standards indicated within Section 9.03 *Multifamily and Single-Family Attached Design Standards*. The applicant is deficient in the following two subsections of Section 9.03 as indicated below:

1. (d) Buildings shall be located so that the window-to-window distance between buildings or facing exterior walls shall not be less than forty (40) feet, as measured by a line perpendicular to the plane of the surface of said window. This distance may be reduced to not less than thirty (30) feet for an exposure where a room is a bathroom or laundry/utility room, or is used as a community or group meeting room or for a similar purpose. **The applicant's site plan indicates the vast majority of principle buildings are 20' throughout the development.**
2. (e) Individual buildings shall be located to avoid more than two (2) buildings with parallel orientations to a public street, unless offset by more than twenty (20) feet. Vary the orientation to lessen the massing. The maximum length of a multi-family building shall not exceed one-hundred ninety-two (192) feet. No more than eight (8) townhome units shall be attached in a single row. **While it appears that the applicant does not propose more than eight (8) townhomes per building, the buildings themselves are all paralleled to their corresponding streets and are offset by only 5'.**



The applicant has also requested two variances from Section 4.06/Table 4.4: *Residential Lot Standards* for the following (See Section D):

1. Reduce the front yard setback from 35' to 20'
2. Reduce townhome width from 24' to 20' wide with single-car garages

See Table 4 below for yard and bulk requirements in the SFA Zone as indicated in the Zoning Ordinance:

TABLE 4 - BULK REQUIREMENTS – SINGLE-FAMILY ATTACHED ZONING DISTRICT			
	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	0.229	21.74	C
Minimum Lot Width (ft)*	50	650+	C
Minimum Front Yard Setback (ft)	45 (Industrial Blvd) 35 (Leggett Drive) 25 (Interior Streets)	250+ 35 (Leggett Drive) 20 (Interior Streets)	NC
	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Rear Yard Setback (ft)	15	30	C
Minimum Side Yard Setback (ft)	0 (between units) 10 (between buildings)	0 (between units) 10 (between buildings)	C
Maximum Building Coverage	40	Unknown	Unknown
Maximum Building Height (ft)	40	Unknown	Unknown
Maximum Impervious Coverage (%)	50	Unknown	Unknown
Minimum Heated Square Feet (sf)	1,040	Unknown	Unknown

* The minimum unit width is proposed to be 20' whereas the ordinance requires 24' minimums. The lot width shown is for the entire 21.74-acre parcel.

The development is proposed to have city sewer and water, and the applicant is required to follow all requirements of the Villa Rica Development Code. The width of the internal streets has not been indicated, but are required to be 50' in width as per the Development Code.

Amenities/Open Space

The applicant has proposed several common areas, a bus shelter and a detention throughout the development. The concept plan indicates the total space dedicated to common space is 7.46 acres, which is 34.3% of the total lot area. The developer proposes the following amenities: a playground, dog park, great lawn, pavillion, and a common park. The city's ordinance permits for the following mix of amenities at the discretion of the developer and approval of the City Council:

- Swimming pool sized to comply with NRPA standards.
- Golf course.
- Resident clubhouse.
- Two tot lots with a minimum size of five-hundred (500) square feet per lot
- Basketball, volleyball, or other sport court.



- Two picnic areas, with a minimum size of five-hundred (500) square feet per area, and including a minimum of two picnic tables and one (1) barbeque grill/pit per area.
- Other amenity approved by the City Council.

The city requires a minimum number of amenities for multi-family residential subdivisions. According to the Villa Rica Zoning Ordinance, "Developments with one-hundred seventy-six (176) or more dwelling units shall provide at least three (3) amenities and the City Council shall determine the ratio of additional recreational amenities based on National Recreation and Park Association standards."

Being that the applicant proposes 210 units, it is required for the applicant to install three amenities. None of the proposed amenities meet the requirements of the ordinance, unless the City Council chooses to approve them in place of the amenities specified in the ordinance.

The SFA zone has an 12% open space requirement as per Table 7.24 of the Villa Rica Zoning Ordinance. The ordinance specifies what is considered nonqualifying open space and qualifying open space as specified below:

Table 7.24: Minimum Required Open Space		
Zoning District	Percentage of Open Space	Notes
R1, R2	8%	-
SFA, MF1	12%	-
MF2	15%	-
CMU, C1, C2, OMI	5%	-
I1, I2	2%	Sites less than 3 acres are exempt
AG, CBD	-	Exempt

TABLE 5 – QUALIFYING AND NON-QUALIFYING OPEN SPACE	
Non-Qualifying Open Space	Qualifying Open Space
Required Private Yards	Conservation areas and wetlands preserved as conservation areas.
Street rights-of-way, open parking area and driveways for dwellings	Floodplains
Land covered by buildings	Woodlands
Required detention and retention ponds that are not visually or physically accessible.	Riparian Corridors



The floodway of any stream, regulated drain, river or other water body accessible.	Retention and detention facilities with the following characteristics: 1. Perimeter access. An easement of at least fifteen (15) feet from the top of bank with a minimum five (5) feet wide path of a material that meets the requirements of the ADA. 2. Access. An area of open space at least twenty (20) feet wide shall extend from a street right-of-way to the fifteen (15) foot perimeter access area of the detention area. 3. Planting. Native plant material is encouraged around the perimeter of retention ponds.
Any area with slopes exceeding a twenty-five percent (25%) grade.	Development amenity areas containing semi-public areas such as: 1. Plazas with seating and special features such as public art or fountains. 2. Pocket parks with seating and landscaping. 3. Decorative water features; and lakes.
Any wetlands on the development site, unless preserved as a conservation area.	

The city may approve a five (5%) percent density bonus for every amenity provided in excess of the required amenities for the development as stated above, not to exceed a maximum density bonus of 20%.

Offsite Improvements

The developer proposes sidewalks on both sides of the street leading into the development from the street aprons along Leggett Drive and Industrial Boulevard in addition to several trees along the perimeter of the site on Leggett Drive and a new entrance drive from Industrial Boulevard. No other off-site improvements are indicated on the plat.



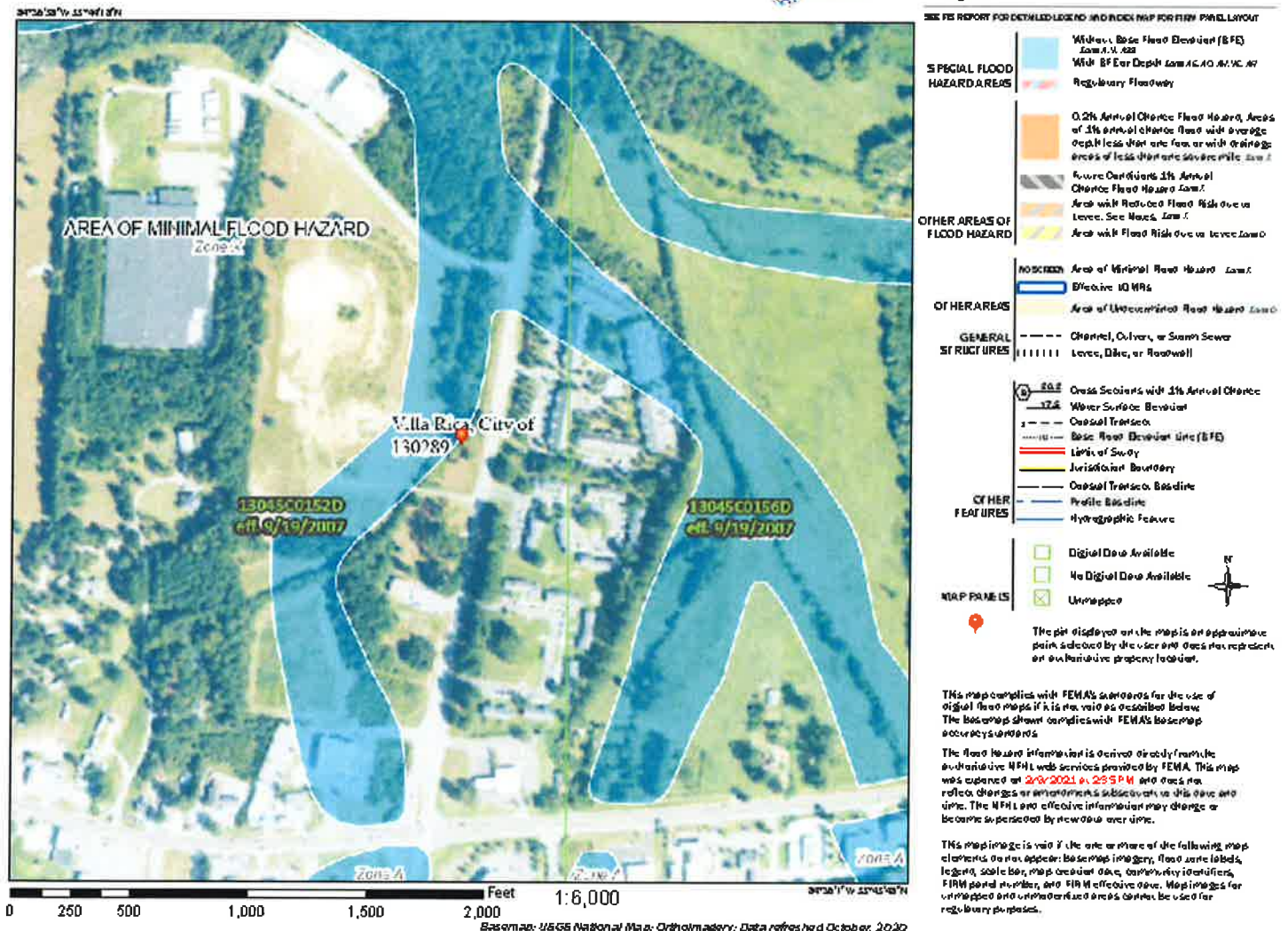
Density

The applicant has proposed a gross density of 9.6 dwelling units per acre (du/acre) and a net density of 11.4 du/acre spread over a net acreage of 18.32, which accounts for the interior streets, based on the Preliminary Plat submitted. The total permissible gross density permitted in the SFA zone is 17.424 du/acre, which would permit a total of 379 units over the entire acreage of the lot. The applicant is proposing less density than the ordinance allows.

Flood Plain

A portion of the subject property is located within a flood zone. A north-south traveling stream on the southeastern section of the lot is centered on the flood zone and is considered a Special Flood Hazard Areas as designated by FEMA. This area is also considered in "Flood Zone A", which is a flood area without base flood elevation levels determined. Figure 2, below, indicates the flood zone map:

National Flood Hazard Layer FIRMette





Buffering/Screening/Tree Conservation:

A landscaping plan was not submitted by the applicant. Section 7.05(7)(b) of the zoning ordinance requires decorative perimeter fences/walls or mounds combined with plant material. Decorative perimeter fences/walls shall be constructed of masonry, stone, wood, or decorative metal. Fences/walls constructed of synthetic materials that simulate natural materials may also be considered. Fences/walls must be at least thirty-six (36) inches in height, but not over seventy-two (72) inches in height. Transparent (open) or opaque fences/walls may be used. Fencing/walls may only be provided by the developer and only located in the area designated as “common area” or “landscape easement.” Landscaping is to be placed on the right-of-way side of the fence/wall, outside of the public right-of-way. The developer has not indicated fencing, walls mounds or landscaping within a perimeter area as required.

Based on *Table 7.7: Individual Residential Lot Landscape*, Individual lots within the newly formed development are also required to have two trees each, and ten (10) shrubs. Front yards must be sodded.

Table 7.7: Individual Residential Lot Landscape			
Zoning District	Number of Trees	Minimum Number of Shrubs	Front Yard Sod
AG	3	12	no
R1	3	12	no
R2	2	10	yes
SFA	2	10	yes

Rezoning Review Criteria

The Zoning Ordinance of the City of Villa Rica, Section 11.05(2)(b), requires the Planning & Zoning Commission and the legislative body to pay reasonable regard to the following when preparing and considering proposed amendments:

i. **The Comprehensive Plan;**

Villa Rica Future Land Use Map

The Future Land Use Plan prescribes “Industrial Activity Center” and “Conservation/Open Space” as future land uses for the parcels. The intent of the Industrial Activity Center is as follows:

“The Industrial Activity Centers are characterized by large building footprints and lots usually in excess of five (5) acres, where truck access is of primary concern. The Activity Centers may include landscaped roadways and uniform signage to create a cohesive



industrial setting. Preservation and expansion of existing industrial development should respect adjacent land uses and existing development patterns (including building placement, lighting, site features, streetscape, etc.). When feasible, campus-style industrial developments are encouraged, with an emphasis on high quality construction and design and inter-connectivity.”

The Activity Center has design principles that recommend moderate to high intensity. The primary future land uses are Limited and heavy industrial uses and heavy commercial.

The Comprehensive Plan indicates the following zoning categories as appropriate zoning categories for the Industrial Activity Area. The UDC zoning categories and their corresponding 2020 zoning ordinance categories are indicated below:

TABLE 2 - APPROPRIATE ZONING CATEGORIES – INDUSTRIAL ACTIVITY AREA	
<u>UDC Zoning Categories</u>	<u>Corresponding 2020 Zoning Ordinance Category</u>
Light Industrial (LI)	Industrial Low-Density (I1)
Heavy Industrial/General Industrial (GI)	Industrial Medium-Density (I2)
Heavy Commercial/General Commercial (GC)	Commercial Medium-Density (C2)

The intent of the Conservation/Open Space Character Area is as follows:

“Conservation areas are public or privately-owned properties that are not suitable for development and are intended to be permanently protected for natural area conservation and passive recreation purposes. Open space areas also include parks and undeveloped areas that provide both passive and active recreation opportunities. Conservation and open space areas are located throughout Villa Rica, represented primarily by floodplain areas, wetlands, parks, and publicly and privately-owned land in its natural state as green space. In addition, trails and greenways associated with the Villa Rica Trail Master Plan (Gold Nugget Trail) are integrated into existing open space areas.”

The design principles of the uses within the character area are to limit vehicular access, pedestrian connectivity with greenways and trails, maintaining public and private greenspace and natural landscapes, minimizing impervious surface, emphasizing natural landscapes with limited recreation-related buildings to provide access to the community, and building placement and exterior materials that blend with the surrounding landscape. Generally, construction of commercial, industrial or residential uses is not in-kind with development within the character area.



TABLE 3 - APPROPRIATE ZONING CATEGORIES – INDUSTRIAL ACTIVITY AREA	
<u>UDC Zoning Categories</u>	<u>Corresponding 2020 Zoning Ordinance Category</u>
Water Resource District (WRD)	N/A
Flood Hazard (FH)	N/A
Applicable to various zoning districts	N/A

- ii. **Current conditions and the character of current structures and uses in each district;**
The lot is currently vacant. The character of the SFA zone is residential in nature, and is specialized for townhomes. All uses north of the site are industrial, and the adjacent sites to the east are multifamily. The subject property would be the only townhouse community in the general vicinity and only one of two townhouse communities on the western side of the city.
- iii. **The most desirable use for which the land in each district is adapted;**
Industrial Boulevard has a mix of industrial and residential uses, and a small number of commercial uses north of W. Bankhead Highway. Apartment uses are directly east of the site. Being that there are no new construction opportunities in this section of the city, and easy access to other major roadways, the townhome community is a desirable use for the property and will generate more “missing middle” housing types and styles for Villa Rica.
- iv. **The conservation of property values throughout the jurisdiction; and**
The property values for residential zoned properties nearby is projected to increase as they will be positively impacted by quality development, improved comps and higher price points within close proximity.
- v. **Responsible development and growth**
Locating higher density and intensity uses near major roadways are encouraged in the Comprehensive Plan.

The State of Georgia has several rezoning standards for consideration by decision-making bodies, as indicated in O.C.G.A. 36-67-3 (2010):

- i. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**
The surrounding area features multi-family apartment uses and industrial uses primarily, in addition to a smaller quantity of commercial and single-family detached uses nearby. No townhome developments are currently within the designated area, and the development as proposed would be the only townhome development along Highway 61/101. The zoning proposal is not supported by the Comprehensive Plan.



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

It is not anticipated that the rezoning will have an effect on surrounding uses, since high density and intensity uses are currently located in the general vicinity of the area.

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

The property does have a reasonable economic use as currently zoned. The Industrial Boulevard corridor is an extension of the commercial area south of W. Bankhead Highway, which has limited growth opportunities near W. Bankhead Highway. Because of the size and location of the parcel, a commercial use can be desirable on the property. Therefore, reasonable economic use of the property as zoned is currently possible.

iv. 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, or schools;

The density of the use will increase car trips along Industrial Boulevard and Leggett Drive, which may require a traffic impact analysis to be reviewed by the City Engineer. A traffic light at this intersection, and associated acceleration lanes, deceleration lanes and turning lanes may be required. School-aged children would utilize Villa Rica Elementary School, Villa Rica Middle School and Villa Rica High School.

v. If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan; and

The rezoning is not supported by the Comprehensive Plan. The Comprehensive plan prescribes Industrial Activity Center as the land use character area, which recommends industrial and commercial zoning categories. The Comprehensive Plan does not specify residential uses as acceptable uses.

vi. 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.

There are no existing or changing conditions that will affect the developability of the parcel that has presented itself during application review.

D. Variances

The developer has requested variance relief from two subsections of Section 4.06/Table 4.4 in the zoning ordinance as outlined below. The applicant has not indicated the purpose of their request for relief, nor any benefits that it would provide the broader project or the city at-large. No architectural plans have been submitted for review.

The Applicant has requested variance relief for the following:

1. Section 4.06/Table 4.4 – A minimum front yard setback of 35' is required from Leggett



Drive and 25' from interior streets.

The applicant proposes setbacks of 20' from interior streets.

2. Section 4.06/Table 4.4 – The minimum living area façade width is 24' in the SFA Zone.

The applicant proposes a minimum width of 20' wide with a single-car garage.

In addition to the bulk variances requested by the Applicant, the following residential design standard variances will also be required from Section 9.03 *Multifamily and Single-Family Attached Design Standards*:

- i) Section 9.03(2)(d) – Buildings shall be located so that the window-to-window distance between buildings or facing exterior walls shall not be less than forty (40) feet, as measured by a line perpendicular to the plane of the surface of said window. This distance may be reduced to not less than thirty (30) feet for an exposure where a room is a bathroom or laundry/utility room, or is used as a community or group meeting room or for a similar purpose.

The applicant's site plan indicates the vast majority of principle buildings that are 20' throughout the development.

- ii) Section 9.03(2)(e) – Individual buildings shall be located to avoid more than two (2) buildings with parallel orientations to a public street, unless offset by more than twenty (20) feet. Vary the orientation to lessen the massing. The maximum length of a multi-family building shall not exceed one-hundred ninety-two (192) feet. No more than eight (8) townhome units shall be attached in a single row. **While it appears that the applicant does not propose more than eight (8) townhomes per building, the buildings themselves are all paralleled to their corresponding streets and are offset by only 5'.**

Proofs for Variances

In review of the variance requests and design standard deviations requested for the development, the "benefits vs. detriments" of such an approval was reviewed in addition to the purposes of the Comprehensive Plan. The purposes of the request are not clear as they have not been articulated in the applications or any application addendums. No benefits to the approval of the deviations could be found. In addition, the purposes of the Comprehensive plan would not be advanced by the variances/deviations, and the benefits of the variances/deviations would not substantially outweigh any detriment.

Variance Decision Criteria

In taking action on all variance requests, the Council shall use the following decision criteria, consistent with the requirements of the Georgia Code.

- a) Development Standards Variance. The Council may grant a variance from the development standards of this ordinance (such as height, bulk, area) if, after a public hearing, it makes a



determination in writing (consistent with *O.C.G.A. 36-66-1*), that:

- i) General Welfare. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;

The approval of the design guideline deviations would not be injurious to the public health, safety, morals, and general welfare of the community.

- ii) Adjacent Property. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and

The value of the surrounding properties is not expected to decline or be otherwise reduced in value by permitting the deviations. The area in question has a large variation of land uses with higher densities and/or intensity of uses than many other areas of the city. The projected housing cost for the proposed development, which begin in the low \$200,000s according to the developer, is expected to increase the value of the detached homes in the general vicinity. Of the many goals of the design standards in the ordinance, one is to protect property values within the city as a whole and existing nearby locations. The variances, as requested, will not negatively impact the adjacent areas and in turn will meet this goal.

- iii) Practical Difficulty. The strict application of the terms of this ordinance will result in a practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.

The application of the zoning ordinance will not result in a practical difficulty in the use of the property. The applicant has not advised the city on the purposes of the request or any external factors that prevent them from complying with the ordinance. It appears that the request is self-imposed based on the concept plan submitted.

E. Comments

1. The applicant should provide testimony regarding the purposes and any hardships requiring the variance relief requested.
2. The Planning Commission should only review considerations within this report and the entirety of the application specific to the rezoning. The Planning Commission does not have jurisdiction over variances or special exceptions.
3. A Landscape Plan, Open Space Plan and other details, as required, should be submitted to the City Engineer for review prior to construction drawing approvals.



4. The City Council shall require that a legal plan or contract for the perpetuation, maintenance and function of all the common area or other common property be established and furnished to the Council to be approved by the City Attorney prior to final approval. The legal plan or contract shall assure that all such common areas shall be provided for in a satisfactory manner without expense to the City. The documents shall be recorded in the County Recorder's office by the applicant prior to occupancy of any building on the project.
5. Where applicable, a homeowners' or maintenance association shall be established for the purpose of permanently maintaining all open space and potential non-commercial recreational facilities. Such homeowner's or maintenance association agreements, guaranteeing continuing maintenance, and giving lien to the City in the event of lack of such maintenance, shall be submitted to the City Council for approval prior to the issuance of any permits.

Recommendation:

Staff recommendation:

Rezoning: DENIAL

Reasons: The SFA Zone does not meet the "Appropriate Zoning Categories" listed in the Comprehensive Plan for the Industrial Activity Center Character Area.

Variances: DENIAL

Reasons: The applicant has not specified any hardships or a purpose for the variance relief requested. The request appears self-imposed based on the concept plan submitted.

Public Notifications:

As required by *Section 11.05* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on March 18th, 2021; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

In response to the public notifications, two residents have contacted the city via letter objecting to the proposed development.

Should you have any questions concerning the above comments please do not hesitate to contact my office. We reserve the right to make additional comments based upon further review or submission of revised plans or new information.

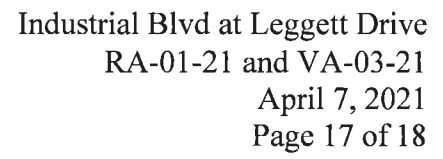


Industrial Blvd at Leggett Drive
RA-01-21 and VA-03-21
April 7, 2021
Page 16 of 18

Very truly yours,

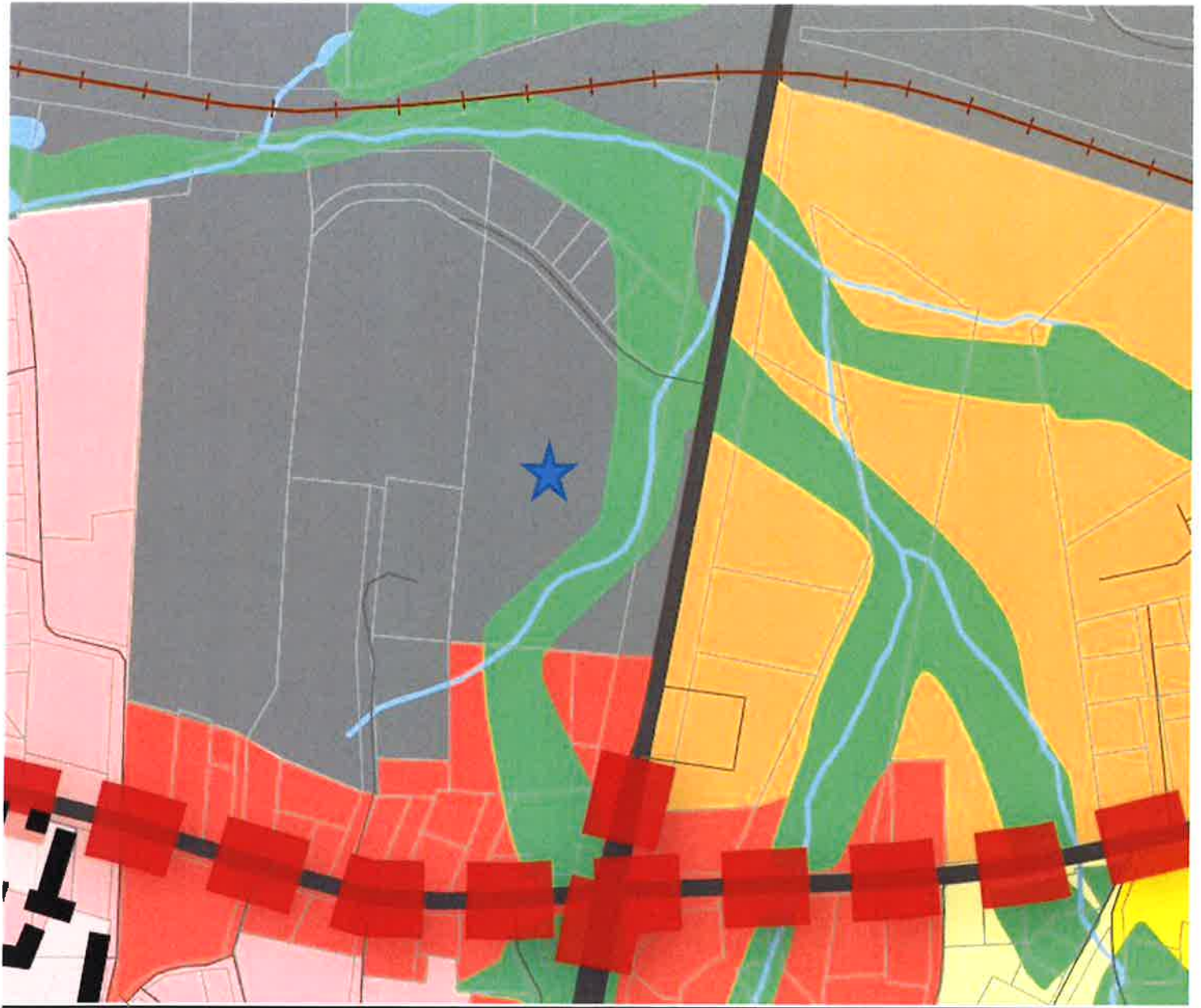
Ronald Johnson
Planning & Zoning Specialist

cc: Tom Barber, City Manager (via email)
David Mecklin, Esq., City Attorney (via email)
Bobby Elliott, P.E., Community Development Director/City Engineer (via email)
Chris Montesinos, AICP (via email)

[illegible]



Future Land Use Map:

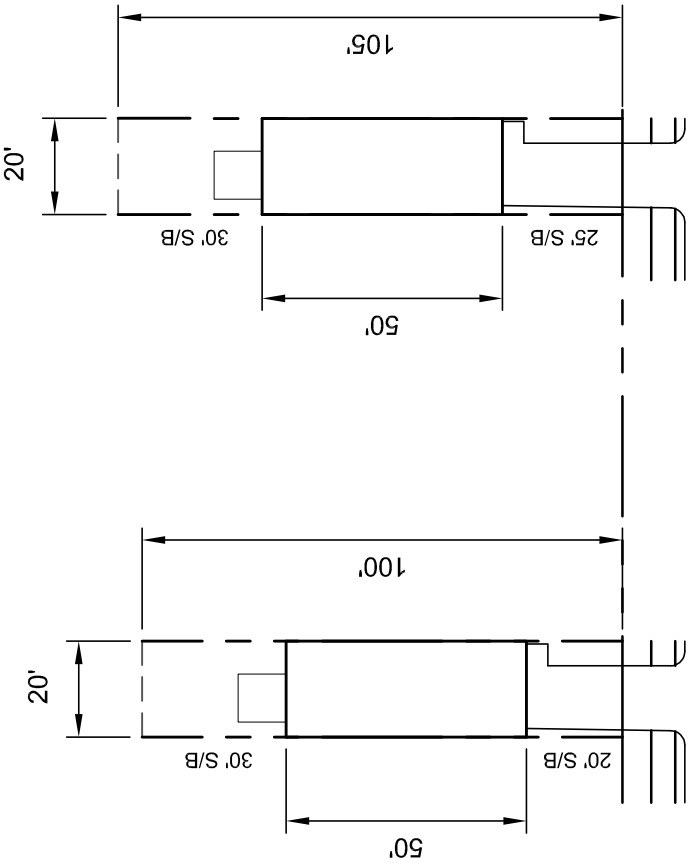


LAND USE SUMMARY

TOTAL SITE AREA: 21.75 AC
PROPOSED ZONING: SFA-SINGLE FAMILY ATTACHED
TOTAL UNITS: 210
GROSS DENSITY: 9.6 du/ac
NET ACREAGE: 18.32 AC
NET DENSITY: 11.4 du/ac
COMMON SPACE AREA: 7.46 AC (34.3% of TOTAL AREA)

SFA DEVELOPMENT STANDARDS

TYPICAL LOT SIZE: 20'X100' w/SINGLE-CAR GARAGE (VARIANCE REQUIRED)
FRONT S/B: 20' (15' REDUCTION, VARIANCE REQUIRED)
REAR S/B: 30'
SIDE S/B: 10', 20' BETWEEN BUILDINGS (VARIANCE REQUIRED, SECTION 9.03 (2), (D), & (E))

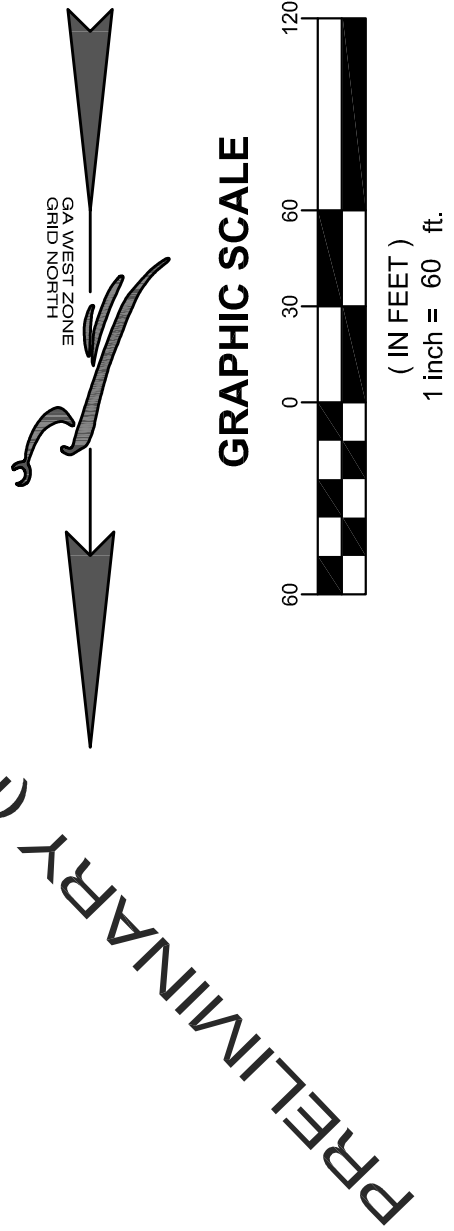


TYPICAL TOWNHOUSE LAYOUT

1" = 40'



THE LAYOUT IS CONCEPTUAL IN NATURE AND IS BASED ON GIS INFORMATION. FUTURE STUDIES INCLUDING SURVEYS, FLOOD PLAIN , AND ENVIRONMENTAL ASSESSMENTS WILL BE REQUIRED TO DESIGN THE PROJECT.



ENVIRONMENTAL
ENGINEERING

CONSTRUCTION
MANAGEMENT

LAND
SURVEYING

LANDSCAPE
ARCHITECT

LAND
PLANNING

FALCON DESIGN
CONSULTANTS

STOCKBRIDGE OFFICE
255 WILKINSON DRIVE
STOCKBRIDGE, GEORGIA 31086
PH: (770) 945-5278
WWW.FDC-INC.COM

ATLANTA OFFICE
590 PRAIRIE PATH ROAD, SUITE C
ALPHARETTA, GA 30005
PH: (770) 945-5278

CONCEPT PLAN
FOR
VILLA RICA TOWNHOMES

LOCATED IN:
LAND LOTS 2, DISTRICTS 2
VILLA RICA, GEORGIA

DATE: 3/24/21
SCALE: 1" = 60'
PROJ NUMBER: 136.014
DRAWN BY: MT
REVIEWED BY: JDL
REVISED BY:

REVISIONS

Call before you dig.
UTILITY PROTECTION CENTER
1 (800) 282-2411 THROUGHOUT GEORGIA
OR DIAL 811

DATE: 3/24/21
SCALE: 1" = 60'
PROJ NUMBER: 136.014
DRAWN BY: MT
REVIEWED BY: JDL
REVISED BY:

THIS DOCUMENT IS NOT VALID AND DOES IT MEANS THE ORIGINAL SIGNATURE OF THE REGISTARANT
AUTHORISE THE REPRODUCTION OF THIS

SHEET NUMBER
1.0



Case # _____

REZONING APPLICATION REVIEW

REQUIRED MATERIALS TO ACCOMPANY THE APPLICATION FOR THE OFFICIAL ZONING MAP AMMENDMENT

The Community Development Director may waive informational requirements upon finding that the information is not required to determine compliance with the Official Zoning Ordinance.

- ☐ 1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- ☐ 2. A site development plan prepared in conformance with submittal requirements (unless waived by the Community Development Director or requested zoning district is Single-Family Residential).
- ☐ 3. A written statement describing the following:
 - a. The proposed uses and the effect the proposed use may have on surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Code;
 - b. Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan;
 - c. The areas which are most likely to be directly affected by such change and the likely effects;
 - d. Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts or other social or economic conditions in the areas and zoning districts affected;
 - e. The proposed time schedule and phasing for development;
 - f. The source/method for providing utility/infrastructure services to the property;
 - g. A description of existing road conditions and any new roads to be included in the development will have on existing road and traffic conditions; and
 - h. A list of any state, federal or other public agencies' approvals or permits required for the proposed development.
- ☐ 4. Additional exhibits, as may be required by the Community Development Director.

We certify that the foregoing information is true and correct, this 5th day of January, 2021.

Rockhaven Homes, LLC
Applicant's Name – Printed

BM
Signature of Applicant **Brad Hughes**

Joseph H. Fowler
Applicant's Attorney (If applicable) – Printed

[Signature]
Signature of Applicant's Attorney (If applicable)

Sworn to and subscribed before me this 5th day of January, 2021.

Susan E. Selby
Notary Public

¹ APPLICANT MEANS ANY INDIVIDUAL OR BUSINESS ENTITY (CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY, JOINT VENTURE, FIRM ENTERPRISE, FRANCHISE, ASSOCIATION OR TRUST) APPLYING FOR REZONING OR OTHER ACTION.



HARTLEY, ROWE & FOWLER, P.C.

ATTORNEYS AT LAW

JOSEPH H. FOWLER

DIRECT DIAL: 770/920-2001
EMAIL: JFOWLER@HRFLEGAL.COM

12301 VETERANS MEMORIAL HIGHWAY
POST OFFICE BOX 489
DOUGLASVILLE, GEORGIA 30133-0489

TELEPHONE: 770/920-2000
FAX: 770/920-9119

February 24, 2021

VIA EMAIL ONLY
rjohnson@villarica.org

Mr. Ronald Johnson
Planning and Zoning Specialist
City of Villa Rica
571 West Bankhead Highway
Villa Rica, GA 30180

RE: *Rockhaven Homes, LLC. Townhome Development on 21.74 Acres*

Dear Mr. Johnson:

This will confirm that Rockhaven Homes respectfully requests that the rezoning currently scheduled for Tuesday, March 2, 2021, be postponed for consideration at a later meeting. Rockhaven Homes is scheduled to meet with you and other representatives of the City at your office on Thursday, March 4, 2021, at 2:30 p.m. in order to review both the site plan and other aspects of the development.

Would you please confirm that the application is removed from the meeting on Tuesday, March 2, 2021, at 6:00 p.m. so that we may conduct the meeting in Villa Rica on Thursday, March 4th. We appreciate your removing this from the agenda and agreeing to meet with us regarding the site plan issues.

Respectfully,

HARTLEY, ROWE & FOWLER, P.C.



Joseph H. Fowler

JHF/rs
cc: Mr. Brad Hughes



**APPLICATION FOR
SPECIAL EXCEPTION**

Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Date of Application: _____

APPLICANT

Applicant Name: Rockhaven Homes, LLC

Address: 4062 Peachtree Rd., NE, #277 City: Brookhaven State: GA Zip: 30319

Phone: (770) 519 - 1668 Fax: () _____ - _____ Email: bhughes@rockhavenga.com

Agent Name: Joseph H. Fowler, Esq.

Address: P.O. Box 489 City: Douglasville State: GA Zip: 30133

Phone: (770) 920 - 2000 Fax: (770) 920 - 9119 Email: jfowler@hrflegal.com

Owner Name (If different from applicant): Matthews & Redding GP

Address: 215 West Bankhead Hwy. City: Villa Rica State: GA Zip: 30180

Phone: (770) 231 - 8572 Fax: () _____ - _____ Email: _____

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

SPECIAL EXCEPTION

TYPE OF EXCEPTION (Select One): _____ Conditional Use Permit ☒ Development Standards Variance

Name: Villa Rica Townhomes

Special Exception Location (attach location map): Industrial Blvd.

Proposed Use: Single Family Fee Simple Attached Townhomes

Square Footage of Site: 21.74 acres

Assessor's Parcel Number: V02 0070012

Describe Proposed Special Exception: _____

Reduce front yard setback from 35 ft. to 20 ft.

Reduce townhome width from 24 ft. to 20 ft. wide with single car garage

(For Office Use Only)

Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____

Application checked by: _____ Date: _____ Map Number(s): _____

Planning Commission: Approved Denied Date: _____ Conditions: No Yes How many: _____

City Council Decision: Approved Denied Date: _____ Conditions: No Yes How many: _____

Manager's Signature: _____ Date: _____



**APPLICATION FOR
SPECIAL EXCEPTION**

The procedure for approval of a Special Exception is set forth in Section 11.09 of the Villa Rica Zoning Ordinance. Generally, the process involves review by the Community Development Director and final review and decision by the City Council.

I, Rockhaven Homes, LLC, hereby state that all of the above statements and statements contained in the documents submitted with this application are true.



Signature of Applicant

1/7/21

Date

By: Brad Hughes, Member

Required Materials to Accompany the Application:

The Community Development Director may waive informational requirements upon finding that the information is not required to determine compliance with Zoning Ordinance requirements.

- 1) Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- 2) A site development plan prepared in conformance with all application requirements;
- 3) *A written statement describing the following:*
 - a) The proposed use;
 - b) The effect the proposed development may have on surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Code;
 - c) Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan;
 - d) The areas that are most likely to be directly affected by such change and the likely effects;
 - e) Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts, or other social or economic conditions in the areas and zoning districts affected.
- 4) Any other exhibits as may be required by the Community Development Manager.



**APPLICATION FOR
SPECIAL EXCEPTION**

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the City Council who will consider the application?

Yes _____ No _____

If Yes, the applicant and the attorney representing the applicant must file a disclosure report with the City within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Board Member
--	---	---

We certify that the foregoing information is true and correct, this 7th day of January, 2021.

Rockhaven Homes, LLC
Applicant's Name – Printed

B. Hughes
Signature of Applicant

By: Brad Hughes, Member

Applicant's Attorney, if applicable – Printed

[Signature]
Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 7th day of January, 2021.



Susan E. Selby

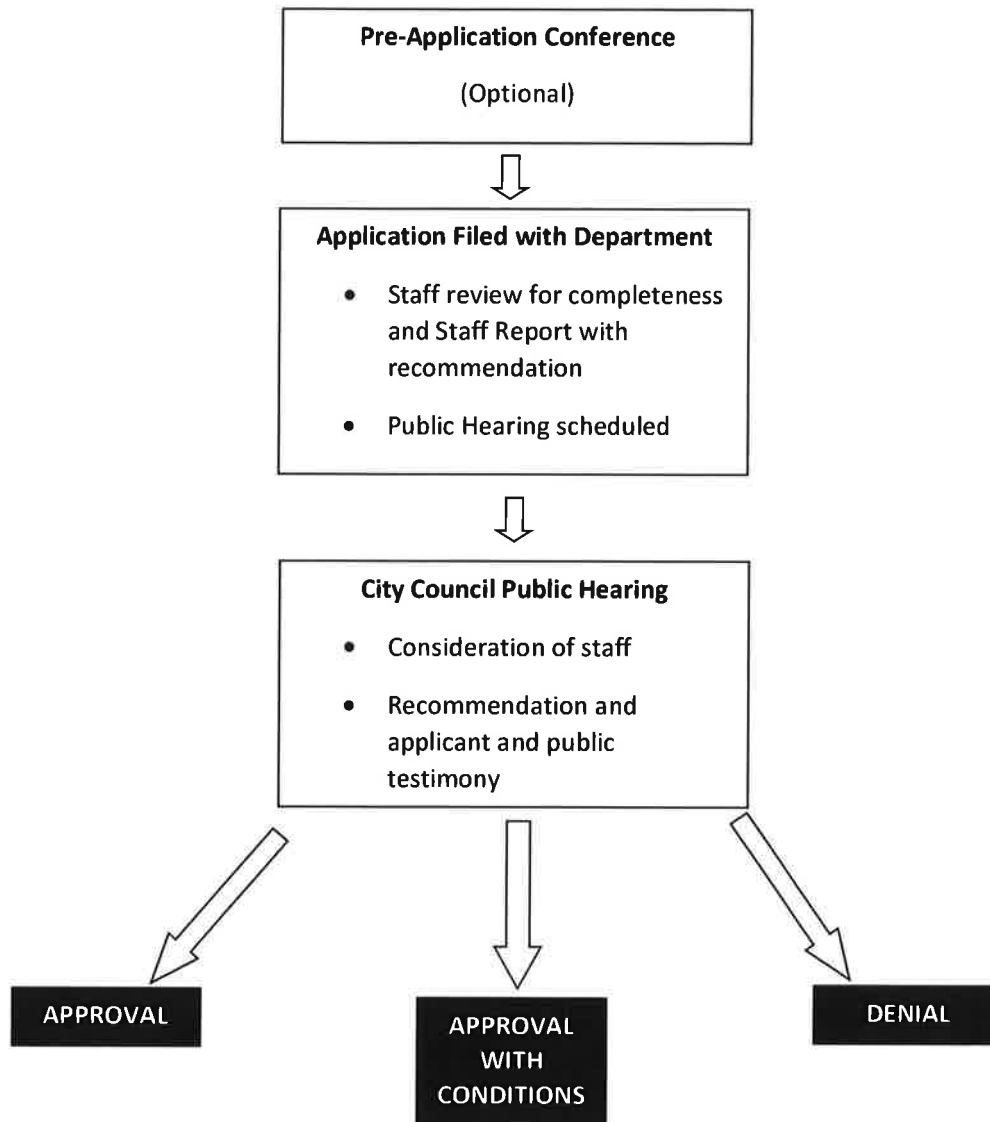
Notary Public

1. Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.



APPLICATION FOR SPECIAL EXCEPTION

PROCESS



AFFIDAVIT

Authorization by Property Owner

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Carroll County, Georgia.

I authorize the persons named below to act as applicant in the pursuit of obtaining the Special Exception.

Name of Applicant: Rockhaven Homes, LLC

Address:

4062 Peachtree Road, N.E. #277

Brookhaven, GA 30319

Telephone Number: 770-231-8572

MATTHEWS & REDDING GP

JEFF MATTHEWS, General Partner

Owner (Printed Name)

Jeff Matthews G.P.
Signature of Owner

1-08-2021
Date

Personally Appeared Before Me:

Who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.

Janice Bass
Notary Public

1-8-2021
Date





Overview



Legend

- Parcels
- Roads

Parcel ID V02 0070012
 Class Code Commercial
 Taxing District VILLA RICA
 Acres 21.75

Owner REDDING BURNELL & MATTHEWS
 JEFF
 2381 LEE PLACE
 VILLA RICA, GA 30180

Last 2 Sales

Date	Price	Reason	Qual
12/22/2008	0	QC	U
10/1/1993	\$100000	PI	U

Physical Address INDUSTRIAL BLVD

Assessed Value Value \$401250

(Note: Not to be used on legal documents)

Date created: 1/8/2021

Last Data Uploaded: 1/7/2021 6:16:28 PM

Developed by Schneider
 GEOSPATIAL

4457 079

199045

2008-006945
 CARROLL COUNTY, GEORGIA
 REAL ESTATE TRANSFER TAX

PAID 0
 DATE 12-30-08

Heather H. Hagan
 CLERK OF SUPERIOR COURT

Cross reference Deed Book 799, Page 574
 Carroll County Records

FILED
 CARROLL COUNTY
 CLERK SUPERIOR COURT
 08 DEC 30 AM 11:09

Heather H. Hagan
 CLERK SUPERIOR COURT
 CARROLL COUNTY RECORDS

Prepared by and return to:

J. Marshall Martin
 Foltz Martin, LLC
 Five Piedmont Center, Suite 750
 Atlanta, Georgia 30305

QUITCLAIM DEED

THIS INDENTURE, is made this the 23rd day of December 2008, between **JEFF R. MATTHEWS**, as party of the first part (hereinafter called the "Grantor") and **MATTHEWS & REDDING, GP**, a Georgia general partnership, as party of the second part (hereinafter called the "Grantee").

The words "Grantor" and "Grantee" shall include their respective heirs, successors and assigns where the context requires or permits.

WITNESSETH, That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration in hand paid and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the Grantee, all that tract or parcel of land lying and being in Carroll County, Georgia, and being more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD, the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any way appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal, the day and year first above written.

Signed, sealed and delivered
 in the presence of:

GRANTOR

[Signature]
 Unofficial Witness

Jeff R. Matthews
 Jeff R. Matthews

[Signature]
 Notary Public

My Commission Expires

(NOTARIAL SEAL) GEORGIA

FEB. 14, 2012

PUBLIC

COBB COUNTY

~~(CORPORATE SEAL)~~

EXHIBIT "A"

LEGAL DESCRIPTION

* TRACT I

All my undivided one-half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land lot 163 of the 6th District of Carroll County, Georgia, and being within the corporate limits of the City of Villa Rica, Georgia and more particularly described as follows:

To find the point of beginning, commence at the intersection of the northerly right of way of U.S. Highway 78 with the westerly right of way of Georgia Highway No. 101-Industrial Boulevard, and from said point run thence along the right of way of Georgia Highway No. 101-Industrial Boulevard, north 02 degrees 04 minutes 41 seconds east 46.58 feet; thence along said right of way north 10 degrees 45 minutes 18 seconds east 823.16 feet to a point, said point being the True Point of Beginning; thence north 85 degrees 44 minutes 54 seconds west 659.13 feet to an iron pin found; thence north 04 degrees 43 minutes 09 seconds east 1586.49 feet to a point on the southerly edge of the proposed right of way of Leggett and Platt Drive; thence south 59 degrees 13 minutes 29 seconds east 145.31 feet to a point; thence in a southeasterly direction and following a curve to the right an arc distance of 133.08 feet to a point (said arc being subtended by a chord with a bearing of south 50 degrees 42 minutes 17 seconds east and a distance of 132.59 feet from the last described point); thence south 42 degrees 11 minutes 05 seconds east 465.00 feet to a point; thence in a southeasterly direction and following a curve to the left an arc distance of 212.38 feet to a point (said arc being subtended by a chord with a bearing of south 60 degrees 42 minutes 30 seconds east and a distance of 208.70 feet from the last described point), said point also being the intersection of the southerly edge of the right of way of Leggett and Platt Drive, and the westerly edge of the right of way of Georgia Highway 101; thence south 10 degrees 46 minutes 06 seconds west along the right of way of Georgia Highway 101, 1043.63 feet to the point of beginning.

The captioned premises being designated as Tract 2 consisting of 21.75 acres as shown per survey for Neal McCreary, Burnell Redding and Jack Helms, prepared November 30, 1987, by Douglas C. Crawford, Surveyor, which plat of survey by reference thereto is incorporated in this description.

Being the same property as described in that deed dated February 10, 1989 from Delta Villa Rica Land Company to Burnell Redding, Jack Helms as recorded in Deed Book 620, Page 699, Clerk's Office, Carroll Superior Court.

TRACT II

All my undivided one-half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 191 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

Beginning at the northeast corner of Land Lot 191 of Carroll County, Georgia, being the common corner of Land Lot 195, 394, 190 and 191, said district and section; thence south 3 degrees 59 minutes 12 seconds west a distance of 634.75 feet to the True Point of beginning; thence north 67 degrees 12 minutes 32 seconds east a distance of 43.71 feet along the southeasterly edge of the right of way of Rose Street; thence north 58 degrees 19 minutes 57 seconds east a distance of 72.58 feet; thence continuing along said right of way north 30 degrees 13 minutes 43 seconds east a distance of 33.71 feet to a point; thence south 38 degrees 46 minutes 50 seconds east a distance of 569.87 feet to an iron pin; thence north 53 degrees 44 minutes 38 degrees 30 seconds east a distance of 335.00 feet to a point; run thence south 38 degrees 08 minutes 30 seconds east a distance of 472 feet to a point; thence north 27 degrees 36 minutes 15 seconds east a distance of 219 feet to a point on the southerly edge of a 60 foot right of way for Rockmart Highway; thence south 76 degrees 27 minutes 18 seconds east a distance of 23.70 feet along said right of way to a point on the southwest corner of the intersection of the Rockmart Highway right of way with the Southern Railroad right of way; thence south 4 degrees 51 minutes 40 seconds west a distance of 639.30 feet along the 50 foot right of way for Southern Railroad; thence north 85 degrees 8 minutes 20 seconds west a distance of 88 feet to a point; thence north 00 degrees 23 minutes 00 seconds west, a distance of 90 feet to a point; thence south 89 degrees 37 minutes 00 seconds west a distance of 231 feet to a point; thence south 00 degrees 23 minutes 00 seconds east a distance of 178.61 feet to a point; thence north 86 degrees 59 minutes 00 seconds west a distance of 834.14 feet to an iron pin; thence north 00 degrees 36 minutes 42 seconds east a distance of 332.61 feet to an iron pin; thence north 03 degrees 17 minutes 29 seconds east a distance of 689.00 feet to the Point of Beginning.

The above described property being more fully shown as Tract IV containing 20.84 acres on that plat entitled "Property Survey for Delta Villa Rica Land Company" by Douglas C. Crawford, R.L.S. #1833 dated August 12, 1988 and said survey and the description contained therein is hereby incorporated by reference.

The above described property being shown as Tract IV on that deed dated October 10, 1989 from Delta Villa Rica Land Company to Burnell Redding and Jack Helms as recorded in Deed Book 620, Page 701, Clerk's Office, Carroll Superior Court.

TRACT III

All my undivided one-Half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 163 of the 6th District and 5th Section of Carroll County, Georgia, and being within the corporate limits of the City of Villa Rica, Georgia, more particularly described as follows:

To find the point of beginning, commence at the intersection of the northerly right of way of U. S. Highway 78 with the westerly right of way of Georgia Highway Number 101-Industrial Boulevard and from said point run thence north 02 degrees 04 minutes 41 seconds east along the westerly right of way of Georgia Highway No. 101-Industrial Boulevard a distance of 46.58 feet to a point; thence north 10 degrees 45 minutes 18 seconds east along the westerly right of way of Georgia Highway No. 101-Industrial Boulevard, a distance of 823.16 feet to an iron pin; thence north 10 degrees 46 minutes 06 seconds east along the westerly edge of Georgia Highway No. 101-Industrial Boulevard, a distance of 1043.36 feet to a point at the intersection of said highway with the southerly edge of the proposed right of way of Leggett and Platt Drive (60 foot right of way); thence continuing north 10 degrees 46 minutes 06 seconds east along Georgia Highway 101 a distance of 60 feet to a point at the intersection of the westerly edge of Georgia Highway No. 101 with the northerly edge of the proposed right of way of Leggett and Platt Drive; thence in a westerly and northwesterly direction along the right of way of Leggett and Platt Drive, and following the curvature thereof, a distance of 852.85 feet to a point, said point being the True Point of Beginning; thence north 59 degrees 13 minutes 29 seconds west along Leggett and Platt Drive 111.31 feet to a point; thence north 04 degrees 43 minutes 09 seconds east 242.33 feet to a point; thence south 63 degrees 25 minutes 06 seconds east 107.75 feet to a point; thence south 04 degrees 43 minutes 09 seconds west 251.10 feet to the point of beginning.

The captioned premises being 0.57 acres, as shown per survey for Jack Helms and Burnell Redding prepared January 30, 1989, by Douglas C. Crawford, Surveyor, which plat of survey by reference thereto is incorporated in this description.

The above described property being the same property as shown in that deed dated February 10, 1989 from Delta Villa Rica Land Company to Burnell Redding and Jack Helms as recorded in Deed Book 620, Page 697, Clerk's Office, Carroll Superior Court.

TRACT IV

All my undivided one-half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 194 of the 6th District of Carroll County, Georgia, and being more particularly described as follows;

Beginning at an iron pin located in the southwest corner of Land Lot 194, said iron pin being located at the common corner of Land Lot 194, 191, 195 and 190, said district and section; thence north 1 degree 53 minutes 52 seconds east a distance of 460.44 feet along the west land lot line of land Lot 194 to an iron pin found; thence north 62 degrees 43 minutes 24 seconds east a distance of 153.70 feet to an iron pin found; thence north 62 degrees 43 minutes 24 seconds east a distance of 21.10 feet to a point, said point being located on the westerly side of the Rockmart Highway (60 foot right of way); thence south 17 degrees 44 minutes 27 seconds east a distance of 352.20 feet along said right of way to an iron pin; thence south 82 degrees 15 minutes 33 seconds west a distance of 169.40 feet to an iron pin; thence south 2 degrees 35 minutes 27

seconds east a distance of 182.00 feet to an iron pin which is located on the south land lot line of Land Lot 194; thence north 89 degrees 35 minutes 42 seconds west a distance of 47.16 feet to a point; thence south 89 degrees 33 minutes 43 seconds west a distance of 71.14 feet to the original Point of Beginning.

The above described property being more fully shown as Tract II containing 2.05 acres on that plat entitled "Property Survey for Delta Villa Rica Land Company, Burnell Redding" by Douglas C. Crawford, R.L.S. #1833 dated 8/12/88, revised December 16, 1988 and said survey and the description contained therein is hereby incorporated by reference. The above described property being the same as Tract II as shown in that deed dated February 10, 1989 from Delta Villa Rica Land Company to Burnell Redding and Jack Helms as recorded in Deed Book 620, Page 701, Clerk's Office, Carroll Superior Court.

TRACT V

All my undivided one-half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 191 of the 6th District of Carroll County, Georgia, and being more particularly described as follows;

Beginning at a point on the southeast corner of the intersection of Rose Street and Second Street in the town of Villa Rica, Georgia, and run thence north 89 degrees 9 minutes 34 seconds east a distance of 150 feet along the southerly edge of the 50 foot right of way of Second Street to the True Point of Beginning; thence north 89 degrees 9 minutes 34 seconds east a distance of 76.35 feet along said right of way to a point; thence south 35 degrees 33 minutes 53 seconds east a distance of 134.25 feet to a point; thence south 53 degrees 24 minutes 40 seconds west a distance of 180 feet to a point; thence north 02 degrees 37 minutes 53 seconds west a distance of 215.61 feet to the Point of Beginning.

The above described property being the same as Tract III in that deed dated February 19, 1989 from Delta Villa Rica Land Company to Burnell Redding and Jack Helms as recorded in Deed Book 620, Page 701, Clerk's Office, Carroll Superior Court.

TRACT VI

All my undivided one-half interest in and to the following described property, to-wit:

Being in the Sixty District and Fifth Section of Carroll County, Georgia in the City of Villa Rica, a part of original Land Lot Number 191, located on what is known as Rockmart Road or Highway No. 101, and more particularly described as follows: The said tract being Lot No. 34 as shown on plat of property of Villa Rica Mills, Inc. as surveyed by E. M. Smith, registered Surveyor No. 293 of Dalton, Georgia, on November 9, 1960, and recorded in Plat Book 5, Page 6, in the Office of the Clerk of the Superior Court of Carroll County, Georgia, and situated thereon is one frame dwelling. The said plat and record is herein incorporated by reference for a more complete description. Said property being known as 614 Rockmart Road, Villa Rica, Georgia.

The above described property being the same as that property described in that deed dated September 4, 1992 from Mai B. Sparti to Jack Helms and Burnell Redding, d/b/a Helms and Redding Company.

TRACT VII

All my undivided one-half interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 196, of the 6th District and 5th Section of Carroll County, Georgia and being known and designated as Lot No. 34, as shown and delineated on a certain survey entitled "IRON CREEK", prepared by Edwin Thorpe McConnell, Georgia Registered Land Surveyor No. 741, dated April, 1985, and recorded in Plat Book 28, Page 117, in the Office of the Clerk of the Superior Court of Carroll County, Georgia. Said plat and the record thereof are by this reference incorporated herein.

The above described property being the same as that property as described in that deed dated October 22, 1987, as recorded in Deed Book 578, Page 642, Clerk's Office, Carroll Superior Court.

RECORDED DEC 31 2008
KENNETH SKINNER, CLERK



VICINITY MAP
M/S

LAND USE SUMMARY

TOTAL SITE AREA: 21.75 AC
PROPOSED ZONING: SFA-SINGLE FAMILY ATTACHED
TOTAL UNITS: 210
TOTAL LOT AREA: 1,111.11 AC
NET ACRES: 13.33 AC
NET DENSITY: 15.74 UNITS/AC
COMMON SPACE AREA: 7.46 AC (34.3% of TOTAL AREA)

SEA DEVELOPMENT STANDARDS

TYPICAL LOT SIZE: 20X100 W/SINGLE-CAR GARAGE
(VARIANCE REQUIRED)
FRONT SETBACK: 20' (15' REDUCTION, VARIANCE REQUIRED)
SIDE SETBACK: 10' BETWEEN BUILDINGS

ROCKHAVEN HOMES

1700 N. 10th St.
Rock Haven, GA 30087
Phone: 770.421.1111
Fax: 770.421.1112
www.rockhavenhomes.com

FALCON DESIGN

1000 Peachtree Street, N.E.
Atlanta, GA 30309
Phone: 404.525.1111
Fax: 404.525.1112
www.falcondesign.com

STOCKBRIDGE • CUMMING • NEWNAN

Villa Rica Townhomes

Villa Rica, Georgia

Summary Description of Project

Rockhaven Homes has the parcel of 21.74 acres under contract of the construction of single family attached townhomes at a density of 9.62 units per acre, generally in keeping with the site plan that is provided with the application. Prices will likely begin in the low \$200,000's, depending upon market conditions.

The project is consistent with the character and nature of uses in the vicinity of the property and is consistent with the City's Comprehensive Plan.

The Applicant seeks to reduce the front yard setback from 35 to 20 feet and to reduce the townhome width from 24 feet to 20 feet with single car garages. These requested special exception variances will permit the proper construction of the proposed townhomes given the size and configuration of the property on which the homes will be located. The demand exists for the number of units proposed, and the requested variances will enable that demand to be met.



CITY OF VILLA RICA

City Council Packet

SUBJECT: RA-02-21– Parcel #: V03 0100013 -1030 Third Street

CITY COUNCIL AGENDA DATE: May 11, 2021

DATE: March 30, 2021

PREPARED BY: Ronald Johnson, Planning and Zoning Specialist

FISCAL IMPACT: N/A

PUBLIC HEARING REQUIRED: Yes

PURPOSE: Carros Metal Concepts, Inc. of Villa Rica, GA has requested a rezoning of a 10.8-acre vacant parcel from Single-Family Urban (R2) to Industrial Medium-Density (I2).

BACKGROUND: The applicant proposes to construct a 19,125 sq. ft. warehouse and 5,670 sq. ft. of associated offices on the parcel. The parcel has always been zoned residential and only has access to Third Street (no access to Saber Parkway). The applicant proposes a land swap with 102 Saber Parkway in order to gain access to Saber Parkway and cut access to Third Street. This will bring 102 Saber Parkway into conformance with side yard setback standards for the I1 zone and all truck and vehicular traffic would use Saber Parkway to access the new facility. Approximately ½ acres will be provided to 102 Saber Parkway in exchange for approximately 8,000 sq. ft. for the subject property.

STAFF RECOMMENDATION: Staff recommends approval with conditions:
Conditions:

1. Provide a landscaped buffer and sufficient screening from the adjacent residentially zoned areas as indicated by staff and the Villa Rica Zoning Ordinance.
2. Successful subdivision of the subject property in accordance with, and considerably similar to, the concept plan submitted with this application.

PLANNING COMMISSION: N/A

MOTION:

I move to approve the rezoning of 1030 Third Street, inclusive of the aforementioned conditions, from R2 to I2.



City of Villa Rica

APPLICATION FOR ZONING ORDINANCE TEXT/ZONING MAP AMENDMENT

- ☐ OFFICIAL ZONING ORDINANCE TEXT AMENDMENT
☒ OFFICIAL ZONING MAP AMENDMENT

CHECK ONE

Please complete the blanks with the information requested. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Day of Application: 2/11/2021

APPLICANT

Applicant Name: Carros Metal Concepts, Inc.

Address: 2525 Richardson Rd. City: Villa Rica State: GA Zip Code: 30180

Phone: 770-577-9301 Fax: 770-577-9309 Email: andy@carrosmetal.com

Agent Name: Andy Holmes

Address: 2525 Richardson Rd. City: Villa Rica State: GA Zip Code: 30180

Phone: 678-858-2440 Fax: 770-577-9309 Email: andy@carrosmetal.com

Owner Name (If different from applicant): George & Annette Cole

Address: 2250 Millertown Rd City: Temple State: GA Zip Code: 30179

Phone: 770-459-1659 Fax: _____ Email: _____

NOTE: A NOTARIZED STATEMENT SIGNED BY THE PROPERTY OWNER(S) AUTHORIZING THE APPLICANT TO MAKE THIS REQUEST SHALL BE ATTACHED TO THIS APPLICATION).

REZONING REQUEST

Existing Zoning: R2 Requested Zoning: I2

Property Address: 1030 Third St City: Villa Rica State: GA Zip Code: 30180

Nearest Intersection: Third St.

Present Use of Property: Residential

Proposed Use: Office/Warehouse

Size of Tract: 10.8 Land Lot Numbers: 190 Districts: 6

Gross Density: _____ Unit(s) Per Acre Net Density: _____ Unit(s) Per Acre

Property Tax Parcel Number: V030100013



Case # _____

REZONING APPLICATION REVIEW

FOR OFFICE USE ONLY

Total Amount Paid: \$ _____ Cash _____ Check Number _____ Received by: _____

Application Checked by: _____ Date: _____ Map Number(s): _____

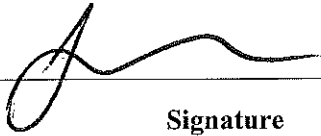
Planning Commission: Approved ☐ Denied ☐ Date: _____ Conditions: No ☐ Yes ☐ How Many: _____

City Council Decision: Approved ☐ Denied ☐ Date: _____ Conditions: No ☐ Yes ☐ How Many: _____

Manager's Signature _____ Date: _____

The procedure for amending the Official Zoning Ordinance text, or making changes to the Official Zoning Map are set forth in Section 2.03.B of the Official Zoning Ordinance. Generally, the amendment process involves review by the Community Development Director and the Planning Commission with a final review and decision by the City Council.

I, Andy Holmes, hereby state that all of the above statements and statements contained in the documents submitted with this application are true.



Signature

2/11/2021

Date

REQUIRED MATERIALS TO ACCOMPANY THE APPLICATION FOR THE OFFICAL ZONING ORDINANCE TEXT AMMENDMENT

The Community Development Director may waive informational requirements upon finding that the information is not required to determine compliance with the Official Zoning Ordinance.

- ☐ 1. Proposed text amendment;
- ☐ 2. Written statement describing reasons for the proposed text amendment; and
- ☐ 3. Any other exhibits as may be required by the Community Development Director.



Case # _____

REZONING APPLICATION REVIEW

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Has the applicant¹ made, within two (2) years immediately preceding the filing of the application for rezoning, campaign contributions aggregating for \$250.00 or more made gifts having in the aggregate a value of \$250.00 or more to a member of a City Council or Planning Commission who will consider the applicant: Yes ☐ No ☒

If **YES**, the applicant and the attorney representing the applicant must file a disclosure report with the City within ten (10) days after this application is first filed. Please supply the following information will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar Amount of Campaign Contribution	Description of Gift \$250.00 or Greater Given to Board Member



Case # _____

REZONING APPLICATION REVIEW

**REQUIRED MATERIALS TO ACCOMPANY THE APPLICATION FOR THE OFFICIAL
ZONING MAP AMMENDMENT**

The Community Development Director may waive informational requirements upon finding that the information is not required to determine compliance with the Official Zoning Ordinance.

- ☐ 1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- ☐ 2. A site development plan prepared in conformance with submittal requirements (unless waived by the Community Development Director or requested zoning district is Single-Family Residential).
- ☐ 3. A written statement describing the following:
 - a. The proposed uses and the effect the proposed use may have on surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Code;
 - b. Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan;
 - c. The areas which are most likely to be directly affected by such change and the likely effects;
 - d. Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts or other social or economic conditions in the areas and zoning districts affected;
 - e. The proposed time schedule and phasing for development;
 - f. The source/method for providing utility/infrastructure services to the property;
 - g. A description of existing road conditions and any new roads to be included in the development will have on existing road and traffic conditions; and
 - h. A list of any state, federal or other public agencies' approvals or permits required for the proposed development.
- ☐ 4. Additional exhibits, as may be required by the Community Development Director.

We certify that the foregoing information is true and correct, this 11 day of February, 2021.

Carros Metal Concepts, Inc. - Andy Holmes

Applicant's Name – Printed

Signature of Applicant

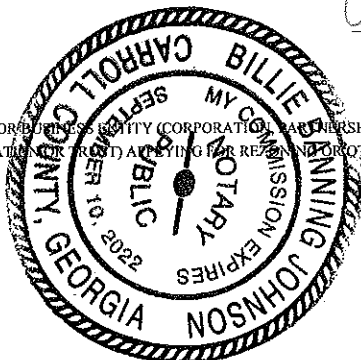
Applicant's Attorney (If applicable) – Printed

Signature of Applicant's Attorney (If applicable)

Sworn to and subscribed before me this 11 day of February, 2021.

Billie Banning Johnson
Notary Public

¹ APPLICANT MEANS ANY INDIVIDUAL OR BUSINESS ENTITY (CORPORATION, PARTNERSHIP, LIMITED PARTNERSHIP, FIRM ENTERPRISE, FRANCHISE, ASSOCIATION OR TRUST) APPLYING FOR REZONING OR OTHER ACTION.

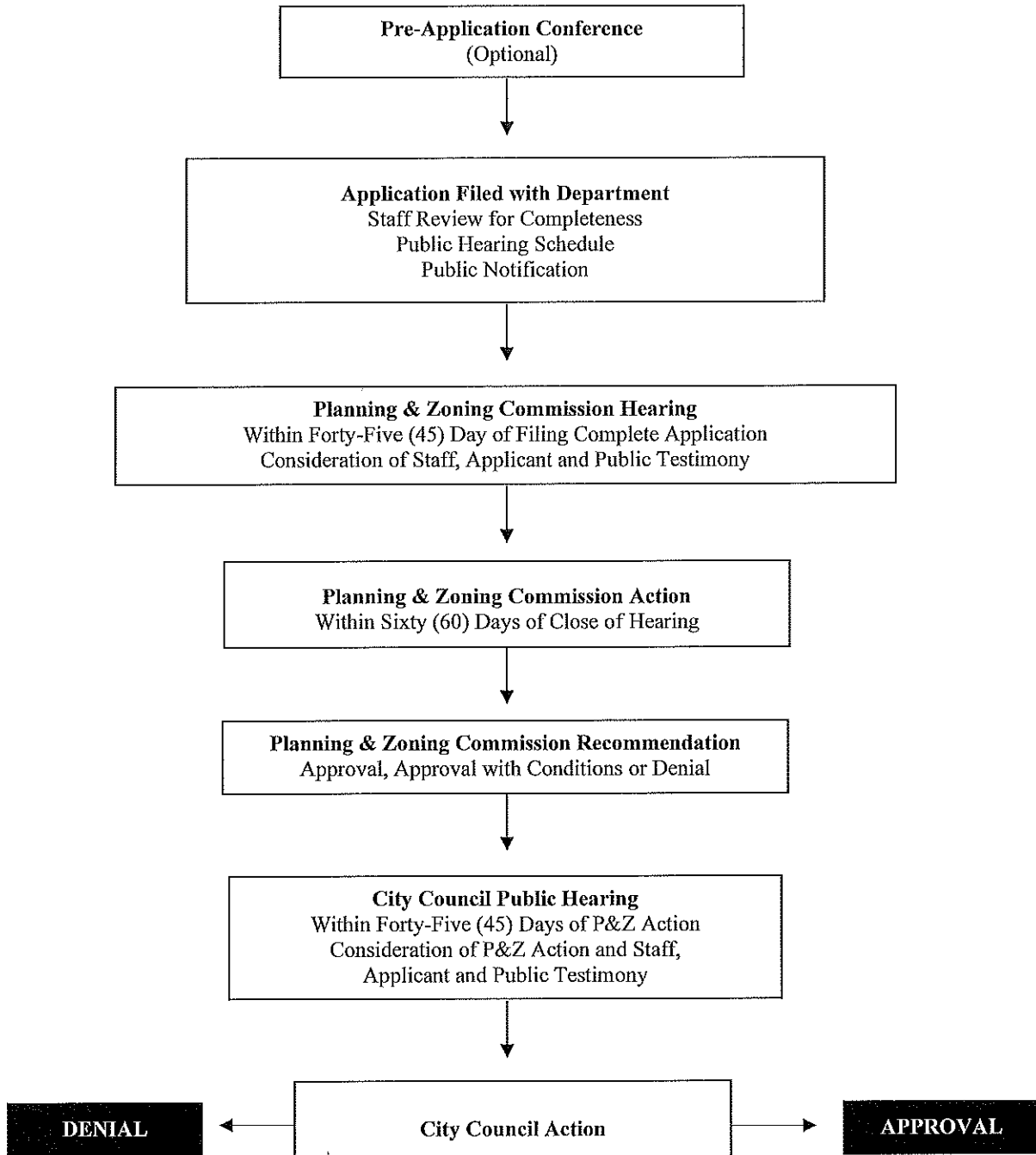




Case # _____

REZONING APPLICATION REVIEW

PROCESS





THE CITY OF VILLA RICA

CONTACT US

Community Development Directory/City Engineer <i>Bobby C. Elliott, P.E.</i>	(678) 840-1213	belliott@villarica.org
Deputy Community Development Directory <i>Chris Montesinos</i>	(678) 840-1237	cmontesinos@villarica.org
Administrative Assistant <i>Kirsten Pilgrim</i>	(678) 840-1219	kpilgrim@villarica.org
Licensing & Permitting Specialist <i>Nyree Simpson</i>	(678) 840-1224	nsimpson@villarica.org
Licensing & Permitting Clerk <i>Whitney Cox</i>	(678) 840-1230	wcox@villarica.org
Planning & Zoning Specialist <i>Ronald Johnson</i>	(678) 840-1238	rjohnson@villarica.org
Building Inspector/Site Plan Review <i>Peggy Allen</i>	(678) 840-1231	pallen@villarica.org
Code Enforcement Officer <i>Robert Francis</i>	(678) 840-1215	rfrancis@villarica.org
Code Enforcement Officer <i>Travell Daniels</i>	(678) 840-1215	tdaniels@villarica.org
Code Enforcement Officer/Site Inspector <i>Charlie Marlar</i>	(678) 840-1215	cmarlar@villarica.org



Carros Metal Concepts, Inc.

February 11, 2021

Villa Rica Planning & Zoning Commission
Mr. Ron Johnson
571 W Bankhead Hwy
Villa Rica, GA 30180

RE: Rezoning Application for 1030 Third St. Villa Rica, GA 30180

This statement intends to explain the request for rezoning of 1030 Third St. Villa Rica, GA 30180.

Carros Metal Concepts wishes to acquire the subject property and move its operations to this site. Carros Metal is a commercial construction company that specializes in exterior metal cladding such as insulated wall panels and ACM (Aluminum Composite Material) wall panels and other similar products. We also fabricate some of the associated flashings and trim pieces onsite at our facility as well as ACM panel fabrication. We are seeking a change in zoning to I2. The property is currently surrounded on three sides by industrial property and would be a perfect fit for this area.

We are also seeking to gain access to the subject property at the back of the cul-de-sac located on Saber Pkwy, thereby making this the only entry to the property. To accomplish this, we have negotiated with Full Life Gospel Church to initiate a property swap as shown on the attached drawing. This will benefit the church in conforming to current setback requirements as the current building is almost directly on the property line. The road frontage to this property on the cul-de-sac will be approximately 75 feet, which should meet requirements.

We would like to begin site work and construction as soon as we have approval. We anticipate construction completion and move in to occur in the late spring of 2022.

Sincerely,

Andy Holmes
Carros Metal Concepts, Inc.

CITY OF VILLA RICA,GA

APPLICATION FOR ZONING ORDINANCE
TEXT/ZONING MAP AMENDMENT

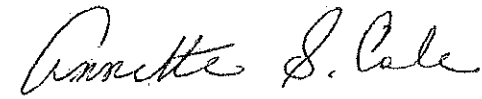
TO: PLANNING AND ZONING

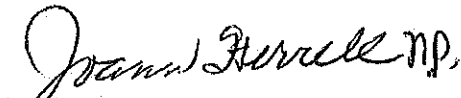
THIS STATEMENT IS TO INFORM YOU
WE ARE THE OWNERS OF THE PROPERTY
LOCATED AT 1030 THIRD ST.,VILLA RICA,GA

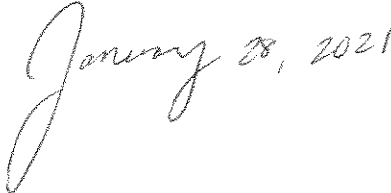
AS OWNERS OF THIS PROPERTY WE AGREE AND
AUTHORIZE THE APPPLICANT TO MAKE THE
REQUEST FOR THE CHANGE IN ZONING.

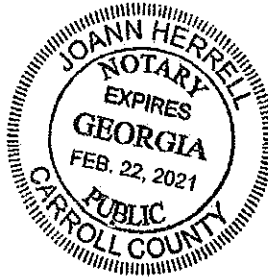
A COPY OF DEED AND SURVEY ATTACHED.


GEORGE WAYNE COLE


ANNETTE S. COLE


NOTARY :


January 28, 2021



5524 902

PT-61-022-20 17-000202
 CARROLL COUNTY, GA - REAL ESTATE
 TRANSFER TAX PD \$ 75.00
 INTANGIBLE TAX PD \$ —
 DATE 1-31-17
Alan J. Lee CLERK OF SUPERIOR COURT

FILED
 GA. CARROLL COUNTY
 CLERK SUPERIOR COURT

17 JAN 31 PM 4:43

Alan J. Lee
 CLERK SUPERIOR COURT
 CARROLL COUNTY GEORGIA

(2)

#2346

Return to:

Timothy A. McCreary
 P.O. Box 310
 Villa Rica, Georgia 30180

EW

SURVIVORSHIP DEED

STATE OF GEORGIA COUNTY OF CARROLL

THIS INDENTURE, made this 5 day of JANUARY, 2017, between ANNETTE S. COLE, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF RUBY SPINKS, deceased; WAYNE SPINKS; CONNIE REESE AND BARBARA JEAN SPINKS BROWN, of the County of Carroll, and State of Georgia of the first part, and GEORGE WAYNE COLE AND ANNETTE S. COLE, of the County of Paulding, and State of Georgia of the second part;

WITNESSETH:

THAT the said party/parties of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars, and other valuable considerations, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has/have granted, bargained, sold and conveyed, and by these presents does/do grant, bargain, sell and convey unto the said parties of the second part, for and during their joint lives, and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property, to-wit: All that tract or parcel of land lying and being in the County of Carroll, State of Georgia, in the 6th District, and being part of Land Lot 190, being ten (10) acres, more or less, off the southeast corner of part 1 as shown by the Jones Administrator's plat commencing at the southeast corner; running north along land line 20 chains and 44 ½ links; thence west 26 chains; thence south 16 chains 45 links; thence east 26 chains to starting point, the said chains referred to above contain 33 feet or two rods each. One acre and one-half having been sold off of the above described land on the west side. Being the property described in deeds recorded in Carroll County Records, as follows: Book 41 Page 80; Book 29, Page 375.

Being the same property described in that Warranty Deed from Mrs. Leila (Sam) Skinner to J. P. Spinks dated September 28, 1951, as recorded in Deed Book 96, Page 138, Clerk's Office, Carroll Superior Court and that deed dated February 20, 1993, from Ruby Spinks, Executrix of the Estate of J. P. Spinks, also known as John Paul Spinks, Annette Cole, Wayne Spinks, Connie Reese, and Barbara Jean Spinks to Ruby Spinks as recorded in Deed Book 771, Page 784, in the Office of the Clerk of the Superior Court, Carroll County, Georgia. Being know as 1030 Third Street, and being Carroll County Map and Parcel Number V030100013.

Annette S. Cole, Wayne Spinks, Connie Reese and Barbara Jean Spinks Brown all are sui juris and laboring under no disabilities as of this date, and are the sole and only heirs at law of Ruby Spinks, deceased.

SURVIVORSHIP DEED IS CONTINUED TO THE NEXT PAGE . . .

SURVIVORSHIP DEED CONTINUED:

TO HAVE AND TO HOLD, the said tract or parcel of land together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, for and during their joint lives and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

AND the said party/parties of the first part, for themselves, their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property unto the said parties of the second part, as hereinabove provided, against the claims of all persons whomsoever.

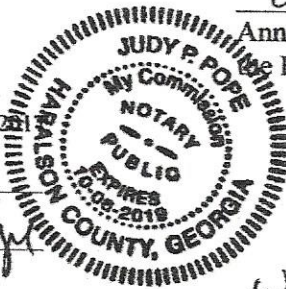
IN WITNESS WHEREOF, the said party/parties of the first part has/have hereunto set their hand(s) and affixed their seal(s) the day and year first above written.

Annette S. Cole (SEAL)

Annette S. Cole, Individually and as Executrix of
Estate of Ruby Spinks, deceased

Sworn to and subscribed before me
this 5 day of JANUARY, 2017

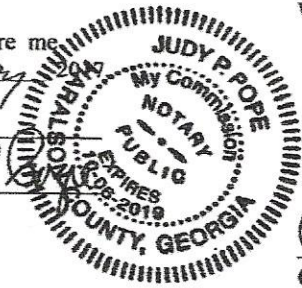
Witness
[Signature]
Notary Public



Wayne Spinks (SEAL)
Wayne Spinks

Sworn to and subscribed before me
this 5 day of JANUARY, 2017

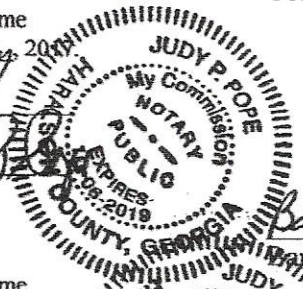
Witness
[Signature]
Notary Public



Connie Reese (SEAL)
Connie Reese

Sworn to and subscribed before me
this 5 day of JANUARY, 2017

Witness
[Signature]
Notary Public



Barbara Jean Spinks Brown (SEAL)
Barbara Jean Spinks Brown

Sworn to and subscribed before me
this 5 day of JANUARY, 2017

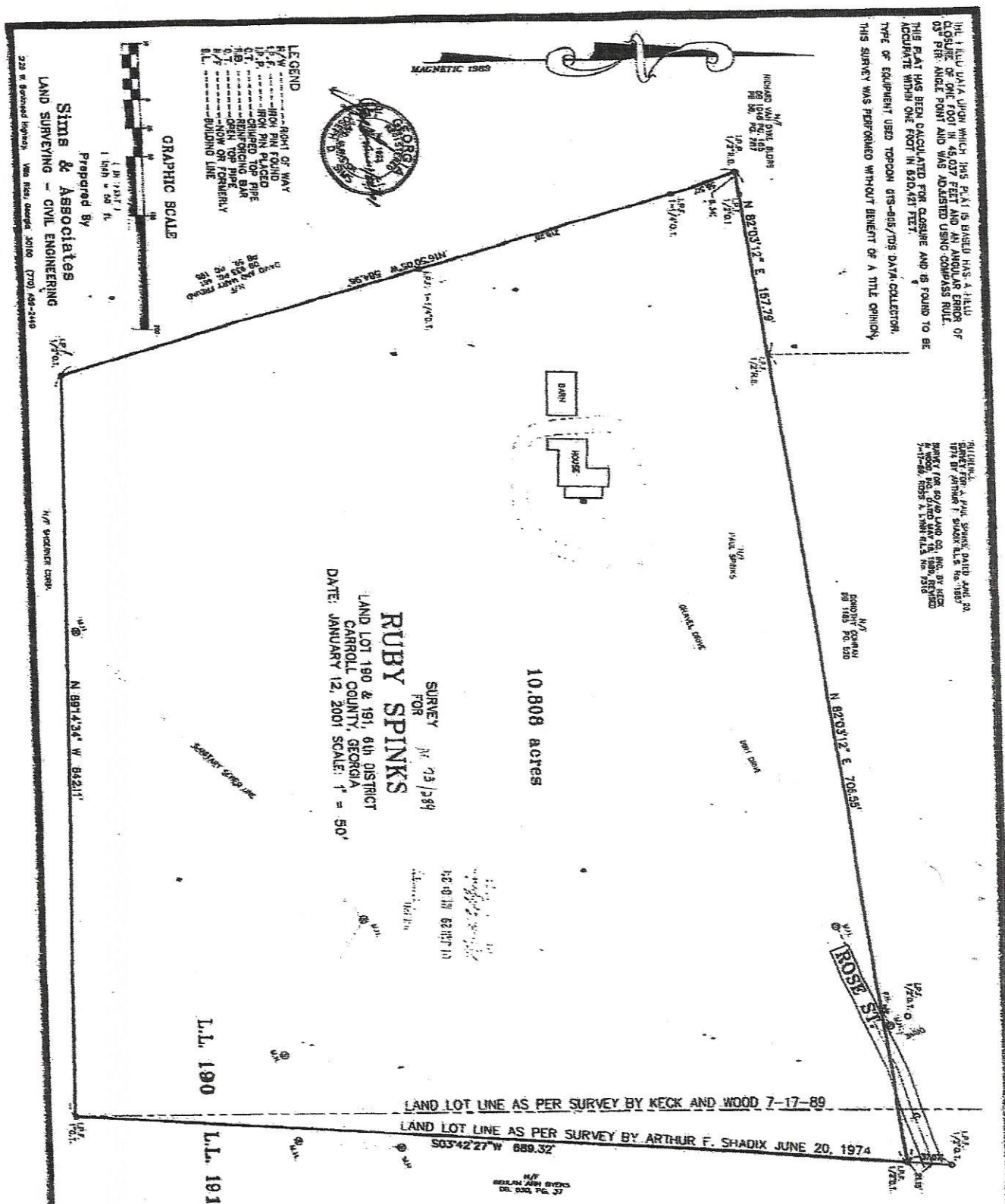
Witness
[Signature]
Notary Public



RECORDED

FEB 02 2017

Alan J. Lee, Clerk

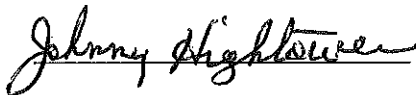


2/10/2021

To whom it may concern:

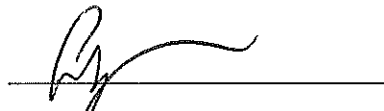
I hereby agree to a property swap as detailed in the attached drawing between Full Life Gospel Ministries, Inc. and Carros Metal Concepts, Inc, should Carros be successful in rezoning and acquiring the property located at 1030 Third St. Villa Rica, GA 30180.

Full Life Gospel Ministries, Inc.



Johnny Hightower

Carros Metal Concepts, Inc.



Andy Holmes

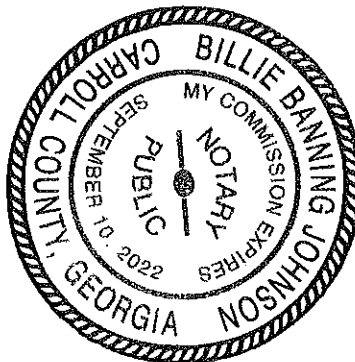
STATE OF GEORGIA COUNTY OF DOUGLAS

Sworn to before me this 10th day of February, 2021



My Commission Expires 9/10/2022

Notary Public





2083965.00.1360075



NOTE: SITE PLAN, CALCULATIONS, & DIMENSIONS ARE APPROXIMATE AND ARE FOR DIAGRAMATIC PURPOSE IN REGARD TO DEFINE INTENT OF OWNER FOR THIS PERIOD OF DUE DILIGENCE. SITE PLAN IS BASED-UPON ORIGINAL SURVEY PROVIDED BY SIMS & ASSOC., AND GIS OVERLAYS. FINAL SITE PLAN TO BE PROVIDED BY A LICENSED CIVIL ENGINEER.

1 PROPOSED SITE PLAN
A1.1 SCALE: N.T.S.

ARTIFEX LLC
2525 Richardson Road
Villa Rica, Ga 30180
PH: (404) 680.4704
chris@artifexga.com
© COPYRIGHT 2021

REPRESENTED ARE THE PROPERTY OF ARTIFEX LLC. THIS DRAWING IS FOR INFORMATION PURPOSES WITHOUT WRITTEN CONSENT. COPYRIGHT AS PER DRAWING DATE. BUILDERS SHALL BE SOLELY RESPONSIBLE FOR VERIFYING THAT THESE PLANS ARE ACCURATE AND THAT THE STRUCTURE IS CONSTRUCTED IN ACCORDANCE WITH ALL CITY, STATE, AND FEDERAL REQUIREMENTS. ALL CONDITIONS AND DIMENSIONS AT THE SITE SHALL BE USED FOR CONSTRUCTION. BEFORE BEGINNING CONSTRUCTION.

ARTIFEX LLC
RESIDENTIAL / COMMERCIAL DESIGN & CONSULTING

A NEW COMMERCIAL CONSTRUCTION
for
CARROS METAL CONCEPTS
VILLA RICA, GEORGIA

PROPOSED SITE PLAN
REVISIONS:
DATE: 03.02.2021
DATE: 02.10.2021
DRAWN BY: CSR
CHECKED BY: CSR
TITLE: CMC

DRAWING SHEET:
A1.1



April 7, 2021

Kirsten Pilgrim, Board Administrator
Community Development Department
City of Villa Rica
571 W. Bankhead Highway
Villa Rica, GA 30180

Re: Planning Report
Carros Metal Concepts, Inc.
RA-02-21
1030 Third Street
Land Lot 190, District 6th
Parcel # V030100013
Acreage: 10.8
Ward: 3
City Council Member: Leslie McPherson
Planning Board Member: Tom Flowers
City of Villa Rica, Carroll County, Georgia

Dear Mrs. Pilgrim:

Carros Metal Concepts, Inc. (the Applicant) seeks a rezoning of a 10.8-acre vacant parcel from Single-Family Urban (R2) to Industrial Medium-Density (I2) in order to construct a 19,125 sq. ft. warehouse facility.

The following documents, which were submitted in support of the Application, have been reviewed:

1. Application for Zoning Map Amendment, dated February 11, 2021;
2. Notarized Affidavit/Authorization by Property Owner, dated January 28th, 2021;
3. Applicant Summary Description of Project, prepared by Andy Holmes, dated February 11, 2021;
4. Survivorship deed, dated January 5th, 2017, signed by Annette S. Cole;
5. Property survey, prepared by Sims & Associates, undated.
6. Notarized Agreement from Full Life Gospel Ministries, Inc. for property swap, dated February 10th, 2021, signed by Johnny Hightower and Andy Holmes;
7. Proposed Site Plan, prepared by Artifex LLC, dated March 2nd, 2021.



A. Existing Conditions

The subject property is located at the end of Third Street. A house and barn are located on the property along with a gravel drive leading from the house/barn to Third Street. The lot is relatively flat in nature and features a stream that runs northeasterly through the southeastern portion of the site, as identified by the state. The parcel is currently zoned Single-Family Urban (R2) and the vast majority of the lot is undeveloped. The parcel does not border a city boundary/unincorporated area.

There is a discrepancy between how much of Third Street lies within the property boundaries of the subject property. The applicant submitted a property survey that indicates a smaller section of Third Street (referenced as Rose Street on the survey) is within the boundaries than what is shown on the Carroll County Tax Assessor's website and the city's Future Land Use Map. The Zoning Map also shows that only a small section of the roadway is within the property boundaries. Therefore, it is unknown how much frontage the property currently has along Third Street.

The parcel is directly adjacent to the Industrial Medium-Density (I2) zone to the south and east. Those areas feature a vacant lot, a cement mixing plant (facing Industrial Court East) and Villa Rica Components (access from Industrial Court East). The parcel is adjacent to Industrial Low-Density (I1) zoned area to the west and north. The land uses to the west are a vacant lot and a house of worship. The land use in the I1 Zone to the north is a vacant lot. A single house to the north of the property is zoned Single-Family Urban.

Surrounding Properties:

TABLE 1 – SURROUNDING LAND USES		
	Current Zoning	Land Use Character Area
North	Industrial Low-Density (I1) Single-Family Urban (R2)	Industrial Activity Center Traditional Neighborhood
East	Industrial Medium-Density (I2)	Industrial Activity Center
South	Industrial Medium-Density (I2)	Industrial Activity Center
West	Industrial Low-Density (I-1)	Industrial Activity Center



Figure 1: Carroll County GIS image of the site, with the property boundaries approximated.

B. Site History

The majority of the parcel is undeveloped, other than a house and barn. The house was constructed in 1850 according to Carroll County tax records. The Unified Development Code (UDC) had the property zoned as Single-Family (R-20). On June 5, 2018, a rezoning application was approved to rezone the property from R20 to Light Industrial (LI) in favor of an equipment storage operation for Alpha Boring Co., which proposed to clear four acres on the western section of the lot and gravel the area. The City Council imposed the following conditions on the property:

1. Access to site shall be provided from Saber Parkway. No vehicular access shall be allowed from Third Street.
2. Existing single-family use may continue utilizing Third Street for ingress and egress but



must vacate Third Street access once Limited Industrial activities/development begins.

3. All access easements shall be provided to the Community Development Department.

Although the zone was changed to LI, the project never commenced. The Community Development Department did not include the zone change on subsequent zoning map updates, which reflected R20 as the zone. In November of 2020, the City Council rezoned the property to Single-Family Urban (R2), which was a lateral change from the R20 zone, as the January 18, 2020 Zoning map indicates the zone at that time as R20.

C. Proposed Development

The applicant's request to rezone the property to I2 requires the implementation of several nonresidential design standards and other sections of the development ordinance that are applicable to nonresidential developments.

The applicant is under contract for the 10.8-acre parcel in question and proposes a 19,125 sq. ft. warehouse and 5,670 sq. ft. of offices. The warehouse is to be used for a commercial construction company that specializes in exterior metal cladding such as insulated wall panels and ACM (aluminum composite material) wall panels and other similar products. Warehouses and associated offices are a permitted use in the I2 zoning district. The applicant proposes to abandon Third Street in its current location within the lot's boundaries.

Because the applicant does not currently have access to Saber Parkway, they propose to block access to the facility from Third Street and proposes a land swap with a neighboring parcel (V03 0100047) located at 102 Saber Parkway. The parcel is currently owned and occupied by Full Life Gospel Ministries Inc. The land swap is expected to bring the side yard setback of 102 Saber Parkway into conformance and provide an access point to Saber Parkway for the applicant. The new access point will also provide 80' of frontage onto Saber Parkway, which the I2 Zone requires. Approximately ½ acre will be provided to 102 Saber Parkway in exchange for approximately 8,000 square feet for the subject property.

Design Standards and Bulk Requirements

The applicant is expected to follow all architectural design standards indicated within Section 9.04 *Non-residential Design Standards*. Staff could not identify any sections of the design standards where the applicant would be deficient.

See Table 2 below for yard and bulk requirements in the I2 Zone as indicated in the Zoning Ordinance:


TABLE 2 - BULK REQUIREMENTS – INDUSTRIAL LOW-DENSITY (I2) ZONING DISTRICT

	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	5	10.8	C
Minimum Lot Width (ft)	150	580+	C
Minimum Front Yard Setback (ft)	35	140+	C
Minimum Rear Yard Setback (ft)	75	150+	C
Minimum Side Yard Setback (ft)	50	50+	C
Maximum Building Coverage	60	Unknown	Unknown
Maximum Building Height (ft)	60	Unknown	Unknown
Maximum Impervious Coverage (%)	80	Unknown	Unknown

The development is proposed to have city sewer and water, and the applicant is required to follow all requirements of the Villa Rica Development Code. The width of the internal street has not been indicated, but are required to be 50' in width as per the Development Code.

Open Space

The SFA zone has an 2% open space requirement as per Table 7.24 of the Villa Rica Zoning Ordinance. The applicant appears to have ample space on the concept plan to provide the necessary 2% open space and it is not projected that meeting this ordinance provision will be problematic. The ordinance specifies what is considered nonqualifying open space and qualifying open space as specified below:

Table 7.24: Minimum Required Open Space

Zoning District	Percentage of Open Space	Notes
R1, R2	8%	-
SFA, MF1	12%	-
MF2	15%	-
CMU, C1, C2, OMI	5%	-
I1, I2	2%	Sites less than 3 acres are exempt
AG, CBD	-	Exempt

TABLE 5 – QUALIFYING AND NON-QUALIFYING OPEN SPACE

<u>Non-Qualifying Open Space</u>	<u>Qualifying Open Space</u>
Required Private Yards	Conservation areas and wetlands preserved as conservation areas.



Street rights-of-way, open parking area and driveways for dwellings	Floodplains
Land covered by buildings	Woodlands
Required detention and retention ponds that are not visually or physically accessible.	Riparian Corridors
The floodway of any stream, regulated drain, river or other water body accessible.	Retention and detention facilities with the following characteristics: 1. Perimeter access. An easement of at least fifteen (15) feet from the top of bank with a minimum five (5) feet wide path of a material that meets the requirements of the ADA. 2. Access. An area of open space at least twenty (20) feet wide shall extend from a street right-of-way to the fifteen (15) foot perimeter access area of the detention area. 3. Planting. Native plant material is encouraged around the perimeter of retention ponds.
Any area with slopes exceeding a twenty-five percent (25%) grade.	Development amenity areas containing semi-public areas such as: 1. Plazas with seating and special features such as public art or fountains. 2. Pocket parks with seating and landscaping. 3. Decorative water features; and lakes.
Any wetlands on the development site, unless preserved as a conservation area.	

Offsite Improvements

The developer has not proposed any off-site improvements on the concept plan drawing at this time.



Buffering/Screening/Tree Conservation:

A landscaping plan was not submitted by the applicant, and is required to be submitted prior to the issuance of a Land Disturbance Permit. The applicant will be required to provide perimeter landscaping for off-street parking areas, along with interior landscaping for off-street parking areas as indicated in Section 7.05(6) *Parking area Landscaping*. The applicant is expected to follow all required tree and shrub planting requirements of Section 7.05.

The applicant will be required to provide buffering of the site in conformance with Section 7.05(12)(b) of the zoning ordinance and as illustrated in Table 7.8 and Table 7.9 of the zoning ordinance. The ordinance requires the proposed use to provide a “Buffer Type 4”, which would require a 75’ width buffer area and an 8’ high opaque fence/wall, amongst other landscaping requirements as set forth in Table 7.9.

Table 7.8: Applicable Buffer Yard Types														
		New Residential Development						New Commercial Development					New Industrial Development	
		AG	R1	R2	SFA	MF1	MF2	CBD	CMU	C1	C2	OMI	I1	I2
Existing Residential	AG	-	1	1	2	3	3	3	3	3	4	3	4	4
	R1		-	1	2	3	3	3	3	3	4	3	4	4
	R2			-	1	2	3	3	3	3	4	3	4	4
	SFA				-	1	2	3	3	3	3	3	4	4
	MF1					-	1	2	2	2	3	2	3	4
	MF2						-	2	2	2	3	2	3	4
Existing Commercial	CBD							-	1	1	1	1	3	4
	CMU								-	1	1	1	3	4
	C1									-	1	1	2	4
	C2										-	1	2	4
	OMI											-	2	4
Existing Industrial	I1												-	3
	I2													-

When a dissimilar land use locates next to an established residential land use within the same zoning classification, buffering and screening standards per Table 7.7: Buffer Yard Types Description for Buffer Yard Type 2 shall apply.



Table 7.9: Buffer Yard Types Description

Type 1	Buffer width - Ten (10) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 3.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 2.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least fifty percent (50%) of the unit value shall be derived from deciduous shade trees (overstory).	Type 3 Buffer width - Thirty (30) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 5.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 4.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least ten percent (10%) of the unit value shall be derived from Deciduous Shade Trees (overstory) or deciduous ornamental trees (understory). A minimum fifty percent (50%) of the trees and shrubs shall be evergreen species. Earthen mounds shall be incorporated into the buffer yard design.
Type 2	Buffer width - Twenty (20) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 4.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 3.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least twenty-five percent (25%) of the unit value shall be derived from deciduous shade trees (overstory). A minimum fifty percent (50%) of the trees and shrubs shall be evergreen species. Earthen mounds are encouraged to gain additional height.	Type 4 Buffer width - Seventy-five (75) feet. The buffer yard shall contain an opaque fence/wall a minimum of eight (8) feet in height. An undulating earthen mound may be substituted but the average maintained height with plant material shall be eight (8) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 5.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 4.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped). Seventy-five percent (75%) of the unit value shall be derived from evergreen trees. Fifty percent (50%) of required landscaping shall be on the adjacent property side of the fence.

Flood Plain

The property is not considered to be in a flood zone as designated by FEMA. This area is considered in “Flood Zone X”, which is an area of minimal flood hazard. Figure 2, below, indicates the flood zone map:



National Flood Hazard Layer FIRMette

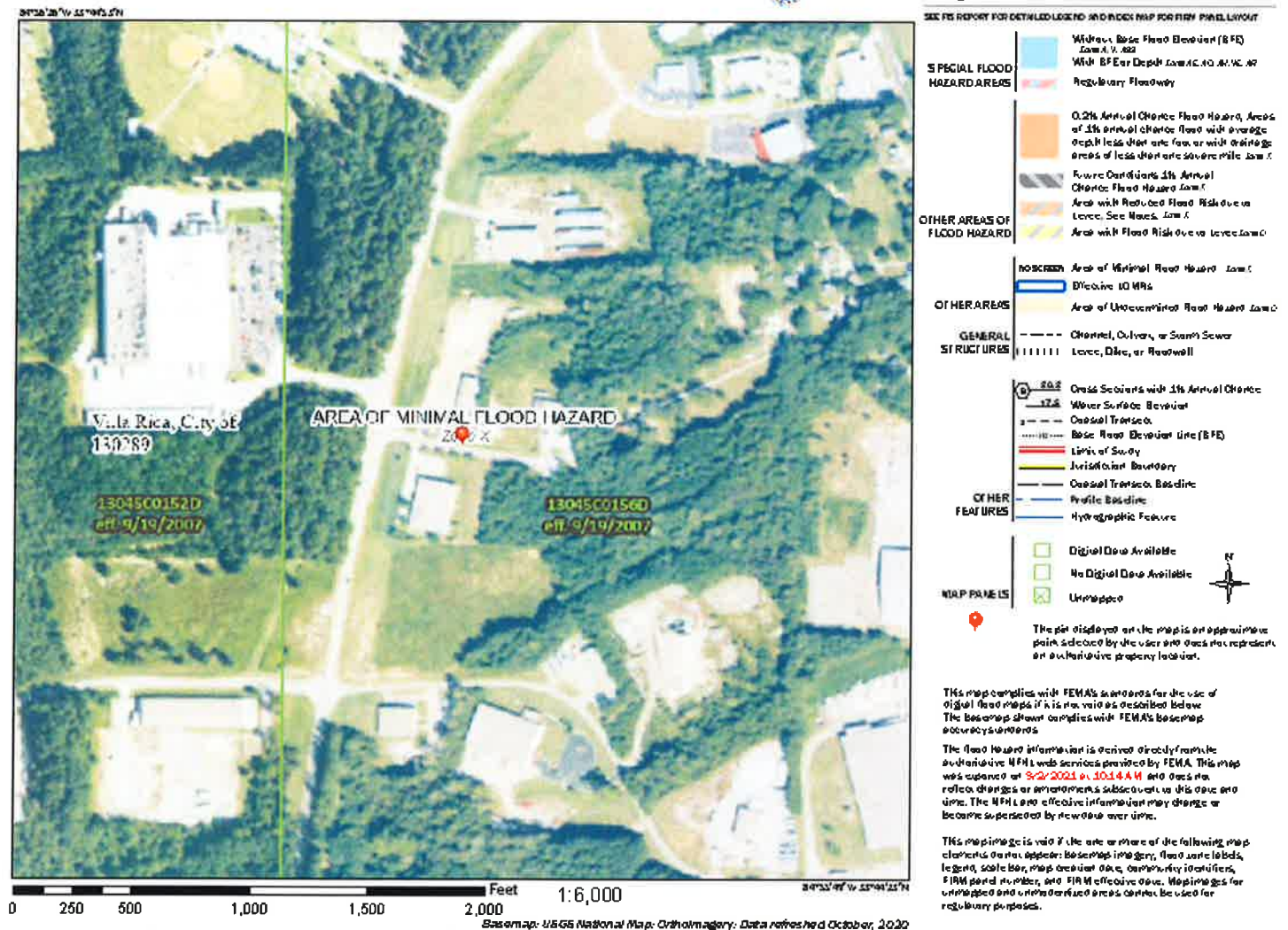


Figure 2: National Flood Hazard Map, retrieved from FEMA.gov

Rezoning Review Criteria

The Zoning Ordinance of the City of Villa Rica, Section 11.05(2)(b), requires the Planning & Zoning Commission and the legislative body to pay reasonable regard to the following when preparing and considering proposed amendments:

i. The Comprehensive Plan;Villa Rica Future Land Use Map

The Future Land Use Plan prescribes “Industrial Activity Center” as the future land use for the parcel. The intent of the Industrial Activity Center is as follows:

“The Industrial Activity Centers are characterized by large building footprints and lots usually in excess of five (5) acres, where truck access is of primary concern. The Activity Centers may include landscaped roadways and uniform signage to create a cohesive industrial setting. Preservation and expansion of existing industrial development should respect adjacent land uses and existing development patterns (including building placement, lighting, site features, streetscape, etc.). When feasible, campus-style industrial developments are encouraged, with an emphasis on high quality construction and design and inter-connectivity.”

The Activity Center has design principles that recommend moderate to high intensity. The primary future land uses are Limited and heavy industrial uses and heavy commercial. The proposed use appears to meet the intent of the Comprehensive Plan.

The Comprehensive Plan indicates the following zoning categories as appropriate zoning categories for the Industrial Activity Area. The UDC zoning categories and their corresponding 2020 zoning ordinance categories are indicated below:

TABLE 2 - APPROPRIATE ZONING CATEGORIES – INDUSTRIAL ACTIVITY AREA	
<u>UDC Zoning Categories</u>	<u>Corresponding 2020 Zoning Ordinance Category</u>
Light Industrial (LI)	Industrial Low-Density (I1)
Heavy Industrial/General Industrial (GI)	Industrial Medium-Density (I2)
Heavy Commercial/General Commercial (GC)	Commercial Medium-Density (C2)

ii. Current conditions and the character of current structures and uses in each district;

The lot currently features a legacy residential single-family home with a detached barn structure. The character of the I2 zone is industrial in nature, and is specialized for high intensity uses. All uses west, south and east of the site are industrial, and the adjacent sites to the north are industrial and residential. The subject property is almost completely surrounded by industrially zoned property. The general vicinity of properties northeast of the site are established residential properties on smaller homesites than the subject property.



iii. The most desirable use for which the land in each district is adapted;

The proposed development is a desirable use based on the Comprehensive Plan and overall character of the area. The current use of the property as a single-family residential property is not the highest and best use for the property given the acreage and zone's nonconformity to the Comprehensive Plan.

iv. The conservation of property values throughout the jurisdiction; and

Property values are not expected to be greatly affected, either positively or negatively by the redevelopment of the lot for industrial purposes.

v. Responsible development and growth

The facility will provide jobs within the facility and will be highest and best use for the property. The utilization of Industrial Boulevard and Saber Parkway for deliveries and other truck traffic is typical for all industrial businesses on Saber Parkway, and the additional load from the facility would be in kind with this industrial sector of the city. Locating higher density and intensity uses near major roadways are encouraged in the Comprehensive Plan, and locating the use along the Industrial Boulevard corridor (by way of the Saber Parkway access road) accomplishes this goal.

The State of Georgia has several rezoning standards for consideration by decision-making bodies, as indicated in O.C.G.A. 36-67-3 (2010):

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

The surrounding area features industrially-zoned properties on four sides, with a small border with a single-family residential neighborhood to the northeast. The proposed rezoning would better align the property with the surrounding uses and industrial zoning on four sides. Saber Parkway currently features all industrial uses, vacant land, and a house of worship directly adjacent to the site. The utilization of Saber Parkway for deliveries is not proposed to have an impact on surrounding properties. The house of worship site has a nonconforming side yard setback adjacent to the subject property, and the proposed land swap would bring both properties into conformance with side yard setback at 102 Saber Parkway and the applicant's proposed development (lot frontage).

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

The intensity of the proposed use, along with the reorientation of the lot to utilize Saber Parkway instead of Third Street would complement the character of the industrial-zoned properties surrounding the lot. The applicant proposes to sever the connection with the residential neighborhood along Third Street, and proposes a healthy distance of well over 150' between the proposed warehouse and the rear yard property line, providing ample buffering from the low-density single-family neighborhood. No adverse effect is expected should the new use be adequately buffered and screened from the residential neighborhood.



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

The property does have a reasonable economic use as currently zoned, however it is not the highest and best use of land given the acreage and Comprehensive Plan designation of the parcel as Industrial Activity Center. Because of the size and location of the parcel, an industrial use can be desirable on the property.

iv. 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, or schools;

No excessive usage of city infrastructure has been identified as expected from the rezoning proposal by staff.

v. If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan; and

The rezoning is supported by the Comprehensive Plan. The Comprehensive plan prescribes Industrial Activity Center as the land use character area, which recommends industrial and commercial zoning categories, which aligns with the requested zone change from Single-Family Urban (R2) to Industrial Medium-Density (I2).

vi. 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.

There are no existing or changing conditions that will affect the developability of the parcel that has presented itself during application review.

D. Comments

1. The applicant shall file all necessary and required subdivision applications to accommodate the land swap proposed between the subject property and 102 Saber Parkway.
2. Access to the lot shall be from Saber Parkway only. No vehicular access shall be allowed from Third Street.
3. The applicant shall apply to vacate all of Third Street within the boundaries of the lot.
4. A Landscape Plan, Open Space Plan and other details, as required, should be submitted to the City Engineer for review prior to construction drawing approvals.
5. The City Council shall require that a legal plan or contract for the perpetuation, maintenance and function of all the common area or other common property be established and furnished to the Council to be approved by the City Attorney prior to final approval. The legal plan or contract shall assure that all such common areas shall be provided for in a satisfactory manner without expense to the City. The documents shall be recorded in the



County Recorder's office by the applicant prior to occupancy of any building on the project.

6. The Planning & Zoning Commission shall have the authority to modify any of the requirements of the nonresidential design standards section in accordance with Subsection 2.02(9)(a) ix.

Recommendation:

Staff recommendation: APPROVAL w/ Conditions

Reasons:

1. The change from R2 to I2 is supported by the Comprehensive Plan. The I2 Zone is listed as an appropriate zoning category listed in the Comprehensive Plan for the Industrial Activity Center Character Area.
2. The use is the highest and best use for the land compared to a single-family home.
3. The rezoning will prompt a subdivision and allocation of land between 102 Saber Parkway and the subject property, bringing 102 Saber Parkway into conformance with side yard setback regulations in the I1 Zone, and access to Saber Parkway for the subject property that will provide conformance to the frontage requirement in the I2 Zone (50').

Conditions:

1. Provide a landscaped buffer and sufficient screening from the adjacent residentially zoned areas as indicated by staff and the Villa Rica Zoning Ordinance.
2. Successful subdivision of the subject property in accordance with, and considerably similar to, the concept plan submitted with this application.

Public Notifications:

As required by *Section 11.05* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on March 18th, 2021; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

In response to the public notifications, no residents have contacted the city via letter objecting to the proposed development.

Should you have any questions concerning the above comments please do not hesitate to contact my office. We reserve the right to make additional comments based upon further review or submission of revised plans or new information.



1030 Third Street – Carros Metal Concepts, Inc.

RA-02-21

April 7, 2021

Page 14 of 16

Very truly yours,

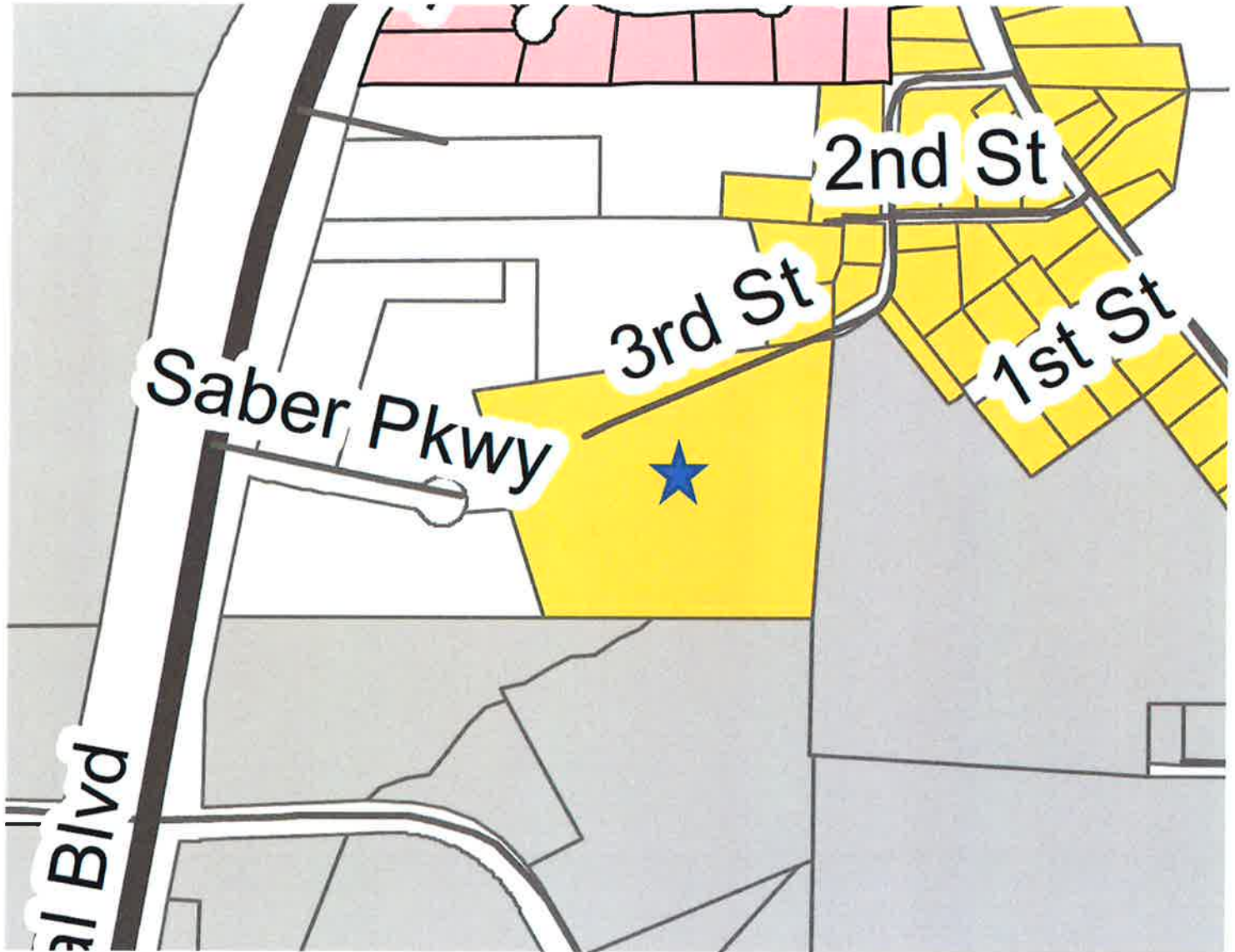
Ronald Johnson

Planning & Zoning Specialist

cc: Tom Barber, City Manager (via email)
Bobby Elliott, P.E., Community Development Director/City Engineer (via email)
Chris Montesinos, AICP (via email)



Zoning Map:





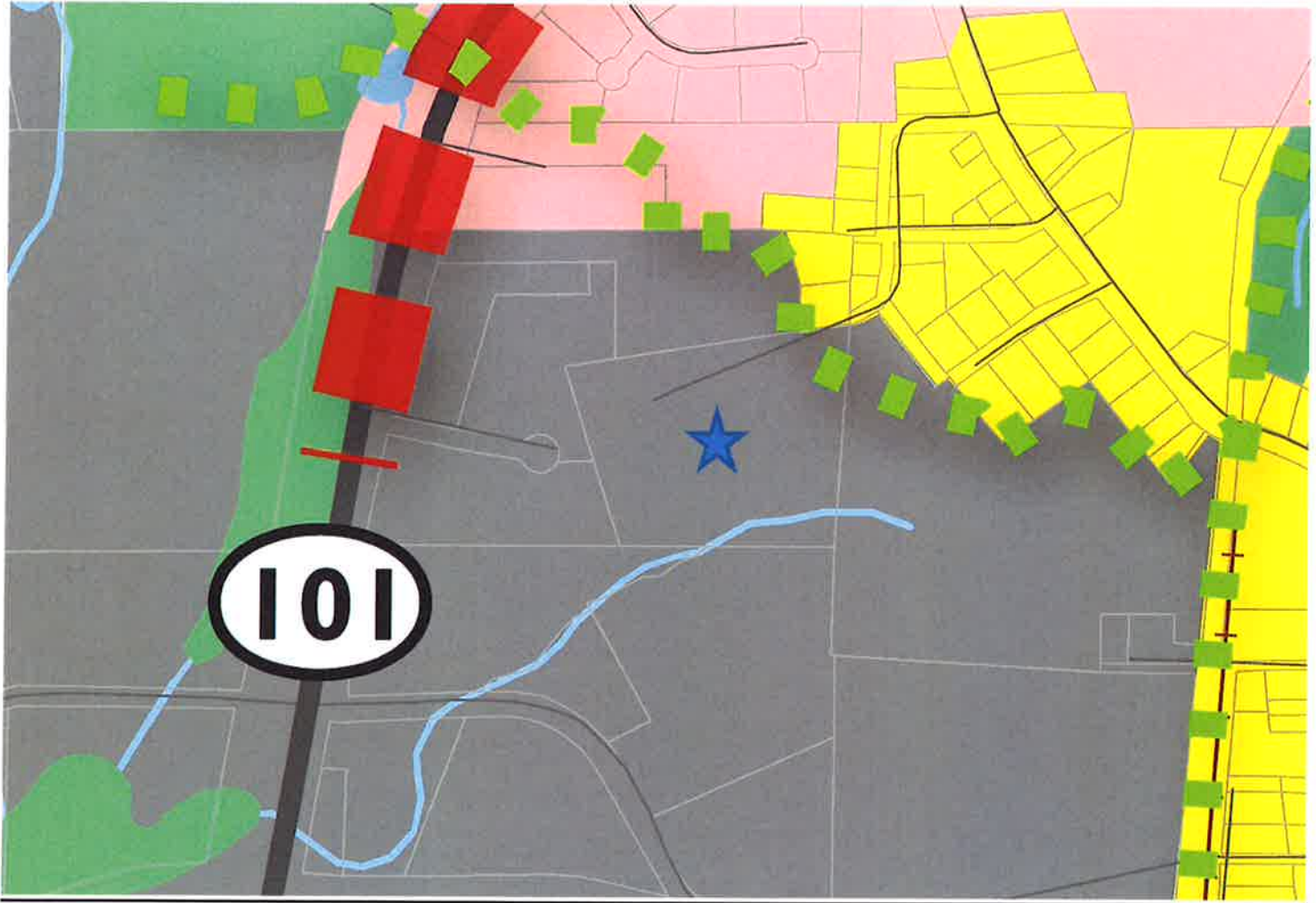
1030 Third Street – Carros Metal Concepts, Inc.

RA-02-21

April 7, 2021

Page 16 of 16

Future Land Use Map:





NOTE: SITE PLAN, CALCULATIONS, & DIMENSIONS ARE APPROXIMATE AND ARE FOR DIAGRAMATIC PURPOSE IN REGARD TO DEFINE INTENT OF OWNER FOR THIS PERIOD OF DUE DILIGENCE. SITE PLAN IS BASED-UPON ORIGINAL SURVEY PROVIDED BY SIMS & ASSOC., AND GIS OVERLAYS. FINAL SITE PLAN TO BE PROVIDED BY A LICENSED CIVIL ENGINEER.

1
A1.1

PROPOSED SITE PLAN

SCALE: N.T.S.

ARTIFEX LLC

2525 Richardson Road
Villa Rica, Ga 30180
PH: (404) 680.4704
chris@artifexga.com

REPRESENTED ARE THE PROPERTY OF ARTIFEX LLC. THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES WITHOUT WRITTEN CONSENT. COPYRIGHT AS PER DRAWING DATE. BUILDER SHALL BE SOLELY RESPONSIBLE FOR VERIFYING THAT THESE PLANS ARE ACCURATE AND THAT THE STRUCTURE IS CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND STANDARDS. ALL CONDITIONS AND DIMENSIONS AT THE SITE SHALL BE VERIFIED BEFORE BEGINNING CONSTRUCTION.

ARTIFEX LLC

RESIDENTIAL / COMMERCIAL DESIGN & CONSULTING

A NEW COMMERCIAL CONSTRUCTION

for

CARROS METAL CONCEPTS

VILLA RICA, GEORGIA

PROPOSED SITE PLAN
REVISIONS:
DATE: 03.02.2021
DATE: 02.10.2021
DRAWN BY: CSR
CHECKED BY: CSR
TITLE: CMC

DRAWING SHEET:

A1.1



CITY OF VILLA RICA

City Council Packet

SUBJECT: Amendment to the Villa Rica Zoning Ordinance – Residential Subdivision Design Guidelines

CITY COUNCIL AGENDA DATE: April 13th, 2021

PLANNING COMMISSION DATE: April 6th, 2021

DATE: February 23rd, 2021

PREPARED BY: Chris Montesinos, AICP
Deputy Director of Community Development

FISCAL IMPACT:

ANNUAL – N/A

CAPITAL – N/A

OTHER – N/A

FUNDING SOURCE: N/A

PUBLIC HEARING: Yes (04/13/2021)

PURPOSE: An amendment to Article 3: Villa Rica Zoning Ordinance amending the lot dimensional requirements for the SFA – Single-Family Attached zoning district, to correct inaccurate information originating from the creation of the district.

BACKGROUND: The City established the SFA – Single-Family Attached zoning district with the adoption of the Zoning Ordinance in August 2020. SFA was a replacement of the City’s RT – Residential Townhouse zoning district under the UDC which resulted in the Townsend Village development off Daniel Road. SFA was a hybrid of the R1/R2 single-family residential and MF1/MF2 zoning districts. As such, the lot size and setbacks of the single-family districts were carried over, which resulted in an inconsistent development pattern by regulation. This amendment seeks to correct those deficiencies by increasing the minimum lot area from 10,000 sf. to 1 acre; increase the side and rear yard setbacks from 0/15 feet to 40 feet; and an increase in the distance between structures on the same lot from 5 feet to 20 feet. These modifications are more reflective of the standards in the multifamily zoning districts, and are intended to address “horizontal property regimes” to include fee simple and corporate-ownership under the same umbrella.

STAFF RECOMMENDATION: Staff encourages the adoption of the amendments to the SFA – Single-Family Attached lot dimensional requirements found in Table 4.4 and Chapter IV – SFA of the Villa Rica Zoning Ordinance.

IMPACT: The amendments will address inconsistencies identified in the existing SFA zoning district to make them more consistent with larger-scale multifamily dimensional standards.

PLANNING COMMISSION RECOMMENDATION: Recommendation to APPROVE on 04/06/2021 – Vote 4-0.

MOTION: I move to APPROVE the amendment to Article 3 – Villa Rica Zoning Ordinance, chapter IV – SFA – Single Family Attached, and Table 4.4 modifying the lot area, setbacks, and distance between buildings.

City of Villa Rica
571 West Bankhead Highway
Villa Rica, Georgia 30180
Telephone: (770) 459-7000
Fax: (770) 459-7003

**NOTICE OF PUBLIC HEARING
BY THE PLANNING
COMMISSION,
MAYOR & CITY COUNCIL
OF THE CITY OF VILLA RICA**

Public hearings will be conducted by the Planning Commission on **Tuesday, April 6th, 2021 at 6:00PM**; and by the City Council on Tuesday, May 11th, 2021 at 6:00PM at the Holt-Bishop Justice Center, Municipal Court Room, 101 Main Street, Villa Rica, Georgia.

ZONING TEXT AMENDMENT:

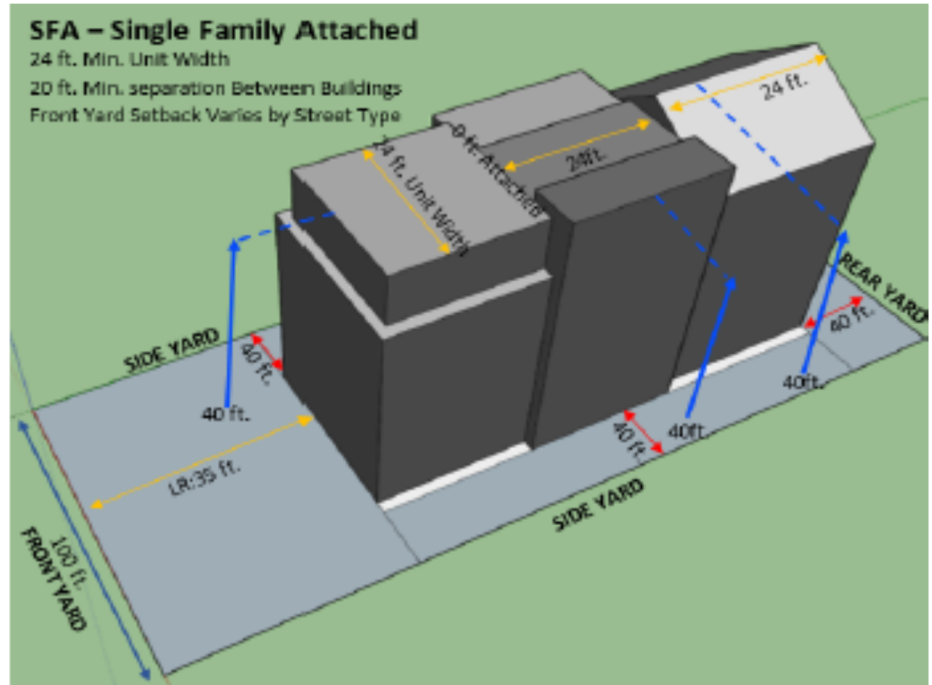
ORD-04-21

The City of Villa Rica Planning Commission and City Council will hold public hearings to consider a City-initiated text amendment to the Villa Rica Zoning Ordinance. The amendment will increase the minimum lot area from 10,000 sf. to 1 acre; increase the side and rear yard setbacks from 0/15 feet to 40 feet; and an increase in the distance between structures on the same lot from 5 feet to 20 feet for property zoned SFA – Single-Family Attached.

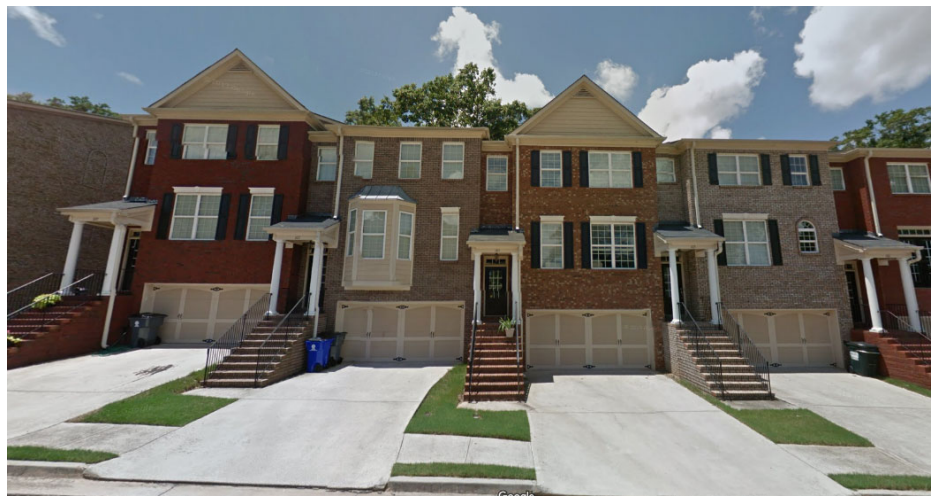
The public is invited to attend the hearings for oral comments, or submit written comments on the subject to the City of Villa Rica, Attention: Villa Rica City Council, 571 West Bankhead Highway, Villa Rica, Georgia 30180, prior to the public hearings. Opponents to the above actions are required to submit a disclosure report five days before the public hearings. For questions or concerns, call the Department of Community Development at 678.840.1238.

SFA

		SFA Single-Family Attached
		Res Other
Minimum Lot Size		1 ac.
Minimum Lot Width		100 ft.
Minimum Lot Frontage		50 ft.
Maximum Building Height ⁹	Principal	40 ft.
	Accessory	24 ft.
Front Setback ^{1,10}	Urban Roads	PA: 50 ft. MA: 45 ft. MC: 45 ft. RC: 40 ft. LR: 35 ft.
	Rural Roads	PA: 80 ft. MA: 50 ft. UC: 45 ft. LR: 35 ft.
Side Setback ²	Principal	40 ft.
	Accessory	10 ft.
Rear Setback ²	Principal	40 ft.
	Accessory	10 ft.
Minimum Distance from Structures on Same Lot		20 ft.
Minimum Ground Floor Area (Per Unit)	1 story	1,040 sf.
	2+ story	650 sf.
Total Minimum Living Area (Per Unit)		1040 sf./ 950 sf.
Minimum Living Area Façade Width		24 ft.
Maximum Lot Coverage (structures and buildings)		40% ¹¹ Acc: 5% or 600 sf. (whichever is greater)
Maximum Lot Coverage (all impervious surfaces)		50% ¹²



The plan shown does not reflect all requirements contained in this ordinance.



- ¹ See accessory structure location restrictions *Section 8.02 – Accessory Uses and Structure Standards*
- ² Check buffer yard standards *Section 7.05 – Landscaping Standards* and/or apply any applicable easement widths
- ⁶ Structures 200 sf. or less / structures greater than 200 sf.
- ⁹ See height exemptions per *Section 7.10 – Height Standards*
- ¹⁰ The front building setback may be reduced to a minimum of twenty-five (25) feet for single-family residential subdivision streets within major plats, minor plats, and horizontal property regimes on private streets
- ¹¹ Permitted non-residential uses shall not exceed 50%
- ¹² Permitted non-residential uses shall not exceed 60%

District Intent

The intent of the Single-Family Attached (SFA) District is to maintain and create an environment which meets the community needs for attached single-family dwellings and single-family dwellings with small accessory apartments (ADU), by restricting other uses within the district and by establishing a minimum lot size. All lots shall be connected to centralized sewer and water facilities and an urbanized roadway network.

SFA

Special Exception Required

- 1) Residential
 - a) day care home: small (1-6 enrollees)
 - b) nursing home, assisted living, or retirement facility
- 2) Communications / Utilities
 - a) essential services, minor
 - b) essential services, major
- 3) Institutional
 - a) publicly-owned buildings and facilities
- 4) Parks & Recreation
 - a) recreation (active)

Permitted Uses

- 1) Residential
 - a) dwelling, multifamily
 - b) dwelling, two-family
 - c) home occupation
- 2) Parks & Recreation
 - a) nature preserve
 - b) recreation (passive)



Table 4.4: Residential Lot Standards

		Residential											
		AG		R1		R2		SFA		MF1		MF2	
		Single-Family Agricultural		Single-Family Suburban		Single-Family Urban		Single-Family Attached		Multifamily Low-Density		Multifamily Medium-Density	
		without sewer/ water	with sewer/ water	Res	Other	Res	Other	Res	Other	Res	Other	Res	Other
Minimum Lot Size		40,000 sf.	25,000 sf.	15,000 sf.	1 ac.	8,500 sf.	1 ac.	1 ac.		1 ac.		5 ac.	
Minimum Lot Width		150 ft.	100 ft.	85 ft.	100 ft.	50 ft.	100 ft.	100 ft.		100 ft.		150 ft.	
Minimum Lot Frontage		50 ft.		50 ft.		50 ft.		50 ft.		50 ft.		50 ft.	
Maximum Building Height ⁹	Principal	35 ft.		35 ft.		35 ft.		45 ft.		45 ft.		65 ft.	
	Accessory	24 ft.		24 ft.		24 ft.		24 ft.		24 ft.		24 ft.	
Front	Urban Roads	PA: 50 ft. MA: 45 ft. MC: 45 ft. RC: 40 ft. LR: 35 ft.											
Setback ^{1,10}	Rural Roads	PA: 50 ft. MA: 45 ft. MC: 45 ft. RC: 40 ft. LR: 35 ft.											
Side	Principal	15 ft.		8 ft.		6 ft.		40 ft.		40 ft.		40 ft.	
Setback ^{2,3}	Accessory	5 ft./10 ft. ⁶		5 ft./10 ft. ⁶		5 ft./10 ft. ⁶		10 ft.		10 ft.		10 ft.	
Rear	Principal	15 ft.		15 ft.		15 ft.		40 ft.		40 ft.		40 ft.	
Setback ²	Accessory	5 ft./10 ft. ⁶		5 ft./10 ft. ⁶		5 ft./10 ft. ⁶		10 ft.		10 ft.		10 ft.	
Projection into setbacks: fire escapes, open stairways, balconies, soffits, canopies, and other similar architectural features may extend up to three (3) feet into a side or rear setback.													
Minimum Distance from Structures on Same Lot		5 ft.		5 ft.		5 ft.		20 ft.		20 ft.		20 ft.	
Minimum Ground Floor Area (Per Unit)	1 story	1,500 sf.		1,500 sf.		1,500 sf.		1,040 sf.		950 sf. Average		950 sf. Average	
	2+ story	900 sf.		700 sf.		650 sf.		650 sf.		650 sf. avg.		650 sf. avg.	
Total Minimum Living Area (Per Unit)		1,500 sf./ 1,100 sf. ^{3,7}		1,500 sf./ 1,100 sf. ^{3,7}		1,500 sf./ 1,100 sf. ^{3,7}		1040 sf./ 950 sf.		950 sf. Average		950 sf. Average	
Minimum Living Area Façade Width		24 ft.		24 ft.		24 ft.		24 ft.		24 ft.		24 ft.	
Maximum Lot Coverage (structures and buildings)		35% ¹¹ Acc: 5% or 600 sf. (whichever is greater)		35% ¹¹ Acc: 5% or 600 sf. (whichever is greater)		40% ¹¹ Acc: 5% or 600 sf. (whichever is greater)		40% ¹¹ Acc: 5% or 600 sf. (whichever is greater)		50% ¹¹ Acc: 5% or 750 sf. (whichever is greater)		75% ¹¹ Acc: 5% or 2,500 sf. (whichever is greater)	
Maximum Lot Coverage (all impervious surfaces)		50% ¹²		50% ¹²		50% ¹²		50% ¹²		50% ¹²		75%	

(PA) Principal Arterial

(MC) Major Collector

(LR) Local Road

(MA) Minor Arterial

(RC) Rural Collector

Figure 4.4: Residential Zoning Districts and Maximum Densities

Zoning District	Purpose (Residential Density: Unit: Lot Size)
AG	Agricultural (Residential, Sewer: 1:25,000sf, Septic 1;40,000sf)
R1	Low-Density Single-Family Residential (1:15,000sf)
R2	Medium Density Single-Family Residential (1:8,500sf)
SFA	Single-Family Attached (1:2,500sf - 10,000sf Min Lot)
MF1	Multi-Family Residential (1:5,000sf - 1 AC Min Lot)
MF2	Multi-Family Residential (1:2,250sf - 5 AC Min Lot)
CBD	Central Business District (Over 1st Story Residential 2:1 FAR)
CMU	Commercial Mixed Use (3:1 FAR)

- Excluding any applicable density bonuses.

C. RT –Residential Townhome**1. Purpose**

The purpose of this district is to accommodate town-homes located on individual lots that promote home ownership.

2. Authorized Uses

Uses permitted in this zoning district shall be limited to those indicated in **Table 3-1**, which includes attached and detached single family residential uses located on individual lots.

3. Development Standards

Development shall conform to the dimensional standards established in this Section. These standards are summarized in **Table 3-2** and illustrated in **Exhibit 3-3**.

RT District Lot Development Standards

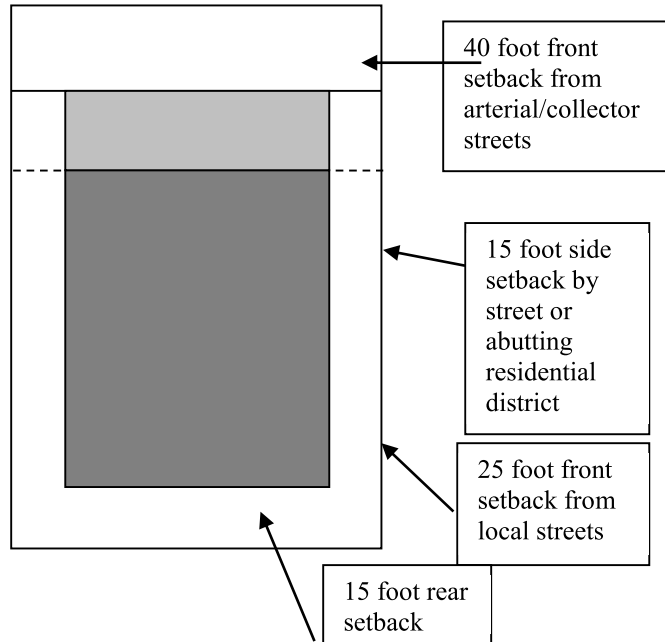
Minimum Development Area	14,000 sq. ft.
Minimum Lot Size	3,000 sq.ft.
Maximum Density	12 dwelling units per acre
Minimum Lot Width at Front Setback Line	30 feet
Minimum Front Setback	
Local Street	25 feet
Other Street	40 feet
Minimum Side Setback	
From street or res. district boundary	15 feet
Between lots	0 feet
Minimum Rear Setback	15 feet
Minimum Floor Area	1,230 sq. ft.
Maximum Height (1)	40 feet

(1) Building height shall not exceed 40 feet except that height may be increased to forty (40) feet when setbacks are increased pursuant to **Section 5.15.C.5.h**.

4. Design Standards

Townhomes shall comply with the multi-family standards established in Section 5.15.

Exhibit 3-3 RT District Building Envelopes





CITY OF VILLA RICA

City Council Packet

SUBJECT: VA-05-21 – Parcel #: 01470250019 -Veteran's Memorial Highway

CITY COUNCIL AGENDA DATE: April 13, 2021 – Carried to May 11th, 2021

DATE: April 29, 2021

PREPARED BY: Ronald Johnson, Planning and Zoning Specialist

FISCAL IMPACT: N/A

PUBLIC HEARING REQUIRED: Yes

PURPOSE: ServPro/Ricky Wilson of Villa Rica, GA is requesting a variance from providing sidewalks along Veteran's Memorial Highway. The frontage along Veteran's Memorial Highway is approximately 1,065 linear feet.

BACKGROUND: The applicant proposes to construct a 75,000 sq. ft. warehouse and office building in order for ServPro to expand their business footprint in the West Georgia area. The development will serve as the major hub for their commercial operations in the area. The applicant has stated the reason for not complying with the sidewalk regulations is due to the adjacent parcels being developed without a sidewalk along the frontage of Highway 78, no existing sidewalk to connect to, and this route being in close proximity to a commercial corridor and the I-20 Gateway. The applicant states that the owner believes that the sidewalk is not necessary in this area and it would create an extra cost for an unnecessary element of the development. Section 304.10(A) of the Villa Rica Development Code requires sidewalks on all existing streets where new building construction occurs if required by the Community Development Department.

STAFF RECOMMENDATION: Staff recommends **approval** with the following condition:

- The applicant shall contribute to the city's established "sidewalk bank" fund for the purpose of future installation of the sidewalk by the city or its approved vendor. The applicant shall follow all requirements and calculations on contribution limits established by the sidewalk bank ordinance and the City Engineer/Department of Community Development Director.

PLANNING COMMISSION: N/A

MOTION:

I move to approve the variance request from ServPro/Ricky Wilson of Villa Rica, GA to not provide sidewalks along the frontage of the property along Veteran's Memorial Highway as required in the Villa Rica Development Code, in lieu of contribution to the "sidewalk bank" fund as hereby required.



The procedure for requesting a Variance or filing an Appeal is set forth in Section 2.03.J and 2.03.K respectively, of the Unified Development Code (UDC). Generally, the amendment process involves review by the Community Development Manager and City Council.

Date of Application: March 5, 2021

Applicant Name: SERVPRO - Ricky Wilson

Address: 505 Berry Drive **City:** Villa Rica **State:** GA **Zip:** 30180

Phone: (678) 769 - 5459 **Fax:** () - **Email:** Ricky.wilson@wilproenterprises.com

Agent Name: Darryl Ray, RLA

Address: 6554 Church Street **City:** Douglasville **State:** GA **Zip:** 30134

Phone: (770) 942 - 0196 **Fax:** () - **Email:** Dray@HRCengineers.com

Owner Name (If different from applicant): _____

Address: _____ **City:** _____ **State:** _____ **Zip:** _____

Phone: () _____ - _____ **Fax:** () _____ - _____ **Email:** _____

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

Address of Variance or Appeal Location: _____

(Unassigned address) Highway 78, Parcel # 01470250019

I, Ricky Wilson, hereby state that all of the above statements and statements contained in the documents submitted with this application are true. I hereby request processing of this application.

Signature of Applicant

Date _____



CASE # _____
VARIANCE/APPEAL

Required Materials to Accompany the Application

The Community Development Manager may waive informational requirements upon finding that the information is not required to determine compliance with UDC requirements.

Variance:

1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
2. A site plan demonstrating the requested variance, showing the affected property, adjacent property, zoning and existing land use;
3. A statement of why the variance is necessary;
4. A statement as to how the applicant's request satisfies each required finding;
5. A listing of the owners of property within 250 feet of the subject property and the mailing addresses for said owners on file with the County Assessor; and
6. Any other exhibits as may be required by the Community Development Manager.

Appeals from Staff Determinations:

1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment;
2. A statement as to why the applicant believes the Staff's determination is contrary to the intent and requirements of the Code; and
3. Any other exhibits as may be required by the Community Development Manager.

Return Form to:
Planning & Zoning
Office of Community Development
City of Villa Rica
571 West Bankhead
Villa Rica, GA 30180

678.785.1004 (T)
770.459.7003 (F)

For Department Use Only

Case No: _____

Filing Fee: _____

Date Received: _____

Pre-Application Conf: _____

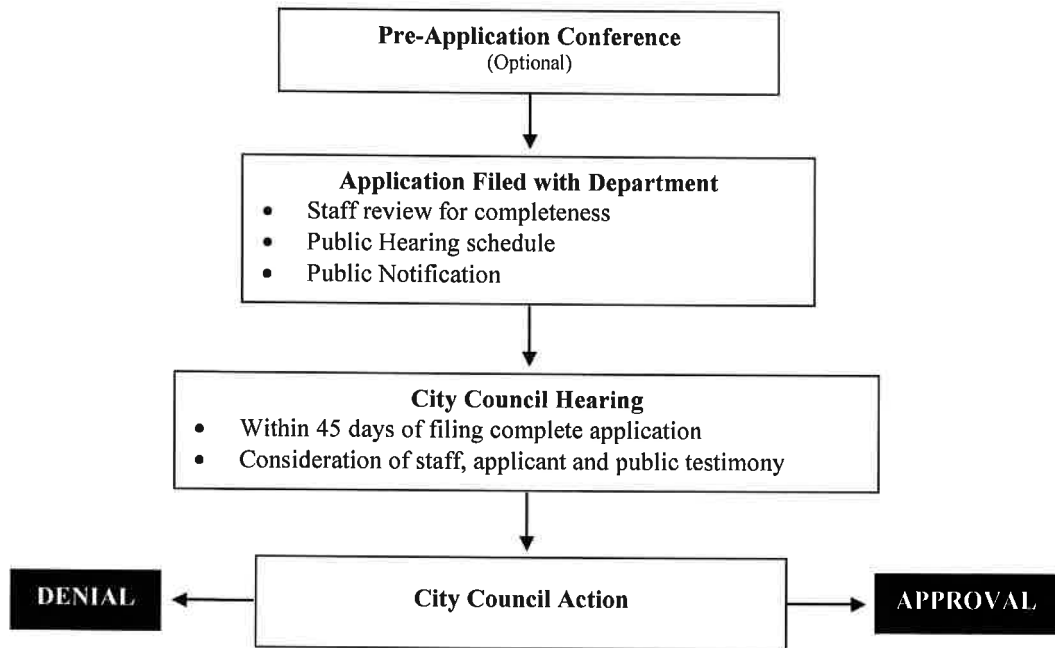
Staff Comments/Findings: _____

Action and Date: _____



CASE # _____
VARIANCE/APPEAL

PROCESS





**ENGINEERS | SURVEYORS
LANDSCAPE ARCHITECTS**

6554 E. CHURCH ST DOUGLASVILLE, GA 30134
TEL: 770.942.0196 | FAX: 770.942.0152
www.HughesRay.com

March 5, 2021

Ronald Johnson
Planning & Zoning Commission
Office of Community Development
City of Villa Rica
571 West Bankhead
Villa Rica, GA 30180
(678) 785-1004

**RE: H20220 SERVPRO Sidewalk Variance Request
US Highway 78
Villa Rica, Georgia**

To whom it may concern,

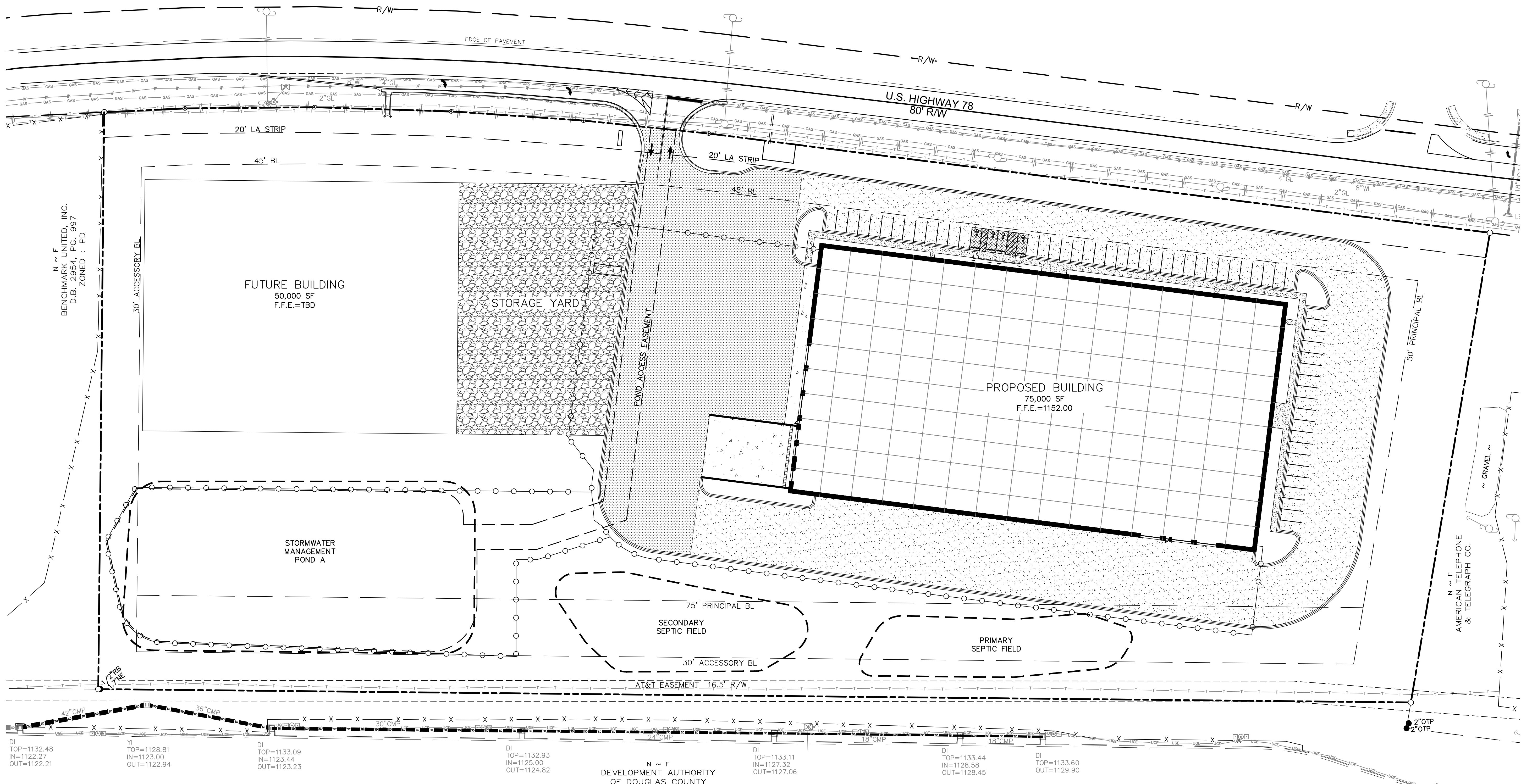
SERVPRO is proposing to develop a new 75,000 SF warehouse/office building on the undeveloped site located on Highway 78 (Parcel # 01470250019) in order to expand their business footprint in the West Georgia area and beyond. This development will serve as the major hub for their commercial operations in the area. Due to the adjacent parcels being developed without a sidewalk along the frontage of Highway 78, no existing sidewalk to connect to, and this route being in close proximity to a commercial corridor and the I-20 Gateway, SERVPRO is requesting a variance from the required sidewalk construction per City of Villa Rica Code of Ordinances, Appendix A, Section 304.10A. It is the opinion of the owner that the required sidewalk is not necessary in this area and it would create an extra cost for an unnecessary element of the development. The attached site plan reflects an approval of this variance.

Should you have any questions or require additional information, please feel free to contact me via email or phone.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Darryl D. Ray', with a long, sweeping flourish extending to the right.

Darryl D. Ray, RLA
dray@hrcengineers.com
770-942-0196

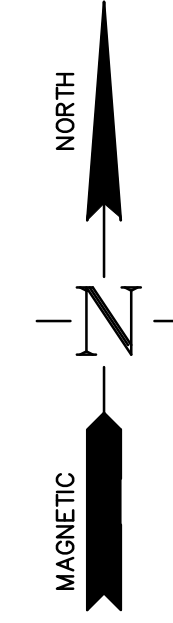
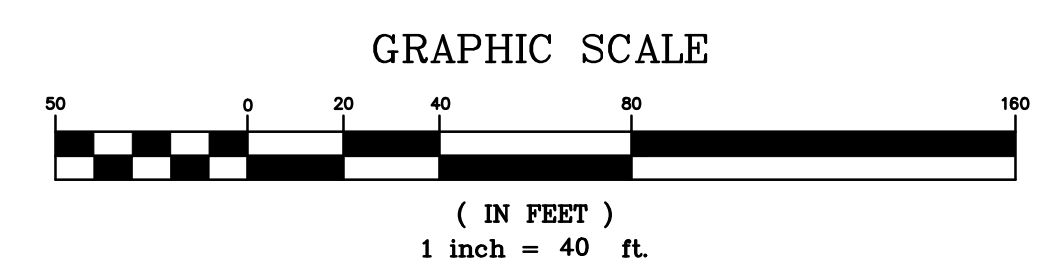


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N ~ F
DEVELOPMENT AUTHORITY
OF DOUGLAS COUNTY
D.B. 2467, PG. 152
ZONED : PD

PAVING LEGEND

HEAVY DUTY PAVING HATCH	NORMAL DUTY PAVING HATCH	HEAVY DUTY CONCRETE HATCH	NORMAL DUTY CONCRETE	SIDEWALK HATCH



PREPARED BY:
HRC
HUGHES-RAY COMPANY, INC.
ENGINEERS SURVEYORS LANDSCAPE ARCHITECTS
6554 EAST CHURCH STREET
DOUGLASVILLE, GEORGIA 30134
P 770.942.0196
F 770.942.0152
www.HughesRay.com

SIDEWALK VARIANCE EXHIBIT
OF
SERVPRO - HIGHWAY 78
L.L. 147, 2nd DISTRICT, 5th SECTION
VILLA RICA, GEORGIA

OWNER:
RICKY WILSON
505 BERRY DRIVE
VILLA RICA, GA 30180
DEVELOPER:
SAME AS ABOVE
24 HR. CONTACT:
RICKY WILSON
PHONE: (678) 769-5459
EMAIL: RICKY.WILSON@
WILPROENTERPRISES.COM

DATE: 3/5/21
DRAWN BY: SAK
CHECKED BY: HBR
JOB#: H20220
EXHIBIT



Doc ID: 011971900002 Type: WD
Recorded: 02/12/2021 at 09:00:00 AM
Fee Amt: \$666.40 Page 1 of 2
Transfer Tax: \$641.40
Douglas County Georgia
ANNETTA D STEMBRIDGE Clerk Superior
BK **3924** PG **868-869**

✓ Return Recorded Document to:
DON F. DEFOOR, P.C.
3144 GOLF RIDGE BLVD., STE. 201

DOUGLASVILLE, GEORGIA 30135
WARRANTY DEED

STATE OF GEORGIA

COUNTY OF DOUGLAS **File #: 21020504**

This Indenture made this **5th** day of **February, 2021** between **Benchmark United, Inc.**, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **Wilson 4 Properties LLC**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00) Dollars** and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

See Exhibit "A" Attached.

This Deed is given subject to all easements and restrictions of record, if any.

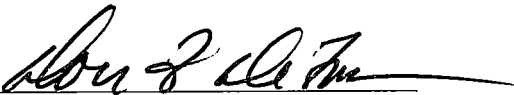
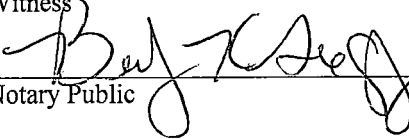
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

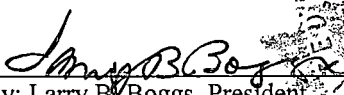
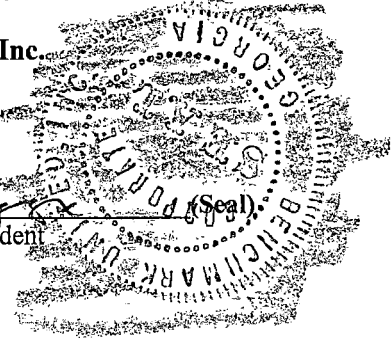
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Benchmark United, Inc.


Witness

Notary Public




By: Larry B. Boggs, President 

DK 3924 PG 0869

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 147 OF THE 2ND DISTRICT, 5TH SECTION, CITY OF VILLA RICA, DOUGLAS COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLY RIGHT-OF-WAY OF AN UNAMED ROAD AND THE SOUTHERLY RIGHT-OF-WAY OF US HIGHWAY 78 (80' R/W); THENCE, WESTERLY, ALONG SAID RIGHT-OF-WAY, TO THE POINT OF BEGINNING;

THENCE, CONTINUING ALONG SAID RIGHT-OF-WAY, NORTH 87 DEGREES 15 MINUTES 23 SECONDS EAST, 64.35 FEET TO A POINT; THENCE, NORTH 89 DEGREES 29 MINUTES 38 SECONDS EAST, 102.92 FEET TO A POINT; THENCE, SOUTH 88 DEGREES 16 MINUTES 25 SECONDS EAST, 108.93 FEET TO A POINT; THENCE, SOUTH 86 DEGREES 01 MINUTE 17 SECONDS EAST, 105.52 FEET TO A POINT; THENCE, SOUTH 84 DEGREES 05 MINUTES 25 SECONDS EAST, 100.16 FEET TO A POINT; THENCE, SOUTH 82 DEGREES 45 MINUTES 19 SECONDS EAST, 626.44 FEET TO A POINT; THENCE, LEAVING SAID RIGHT-OF-WAY, SOUTH 09 MINUTES 32 MINUTES 58 SECONDS WEST, 379.02 FEET TO A POINT; THENCE, NORTH 89 DEGREES 25 MINUTES 06 SECONDS WEST, 1044.24 FEET TO A POINT, THENCE, NORTH 00 DEGREES 34 MINUTES 54 SECONDS EAST, 459.11 FEET TO THE POINT OF BEGINNING;

SAID TRACT OR PARCEL CONTAINING 10.69 ACRES

JBC

Assessor Report	Convert to PDF	Parcel Number
Douglas County, GA	2/23/2021	01470250001



Owner Information	
Owner	AMERICAN TELEPHONE & TELE
Mailing Address	1
Address 2	% STATE & LOCAL TAX SUPER
Address 3	ROOM 5A215, ROUTE 202 & 2
City, State, Zip	BEDMINSTER, NJ 07921



Mobile
Maps and
Information



**Please note:* Questions regarding any information should be directed to the Douglas County Appraisal Department at (770) 920-7228.

Property Information				
Property Address		Legal Description		Acres
14851 VETERANS MEMORIAL HWY		BLDG/MICRO-WAVE TOWERS/LOT, U.S. HIGHWAY 78		3.21
Class Code (Not Zoning)		Neighborhood	Landlot/District	
Public Utility		2-5 NW	147/25	
Homestead Exemption		Special	Tax District	
S0		3	COUNTY	
2020 Values				
Land	Improvements	Accessories	Total Value	Previous Value
\$1	\$0	\$0	\$1	\$1
Land Information				
Type	Description	Acres	Soil Productivity	
RES	0	3.21	NA	

Assessor Report	Convert to PDF	Parcel Number
Douglas County, GA	2/23/2021	01470250003



Owner Information	
Owner	VALDOSTA COLOR BLENDING, LLC
Mailing Address 1	
Address 2	14850 VETERANS MEMORIAL HWY
Address 3	
City, State, Zip	VILLA RICA, GA 30180



Mobile
Maps and
Information



*Please note: Questions regarding any information should be directed to the Douglas County Appraisal Department at (770) 920-7228.

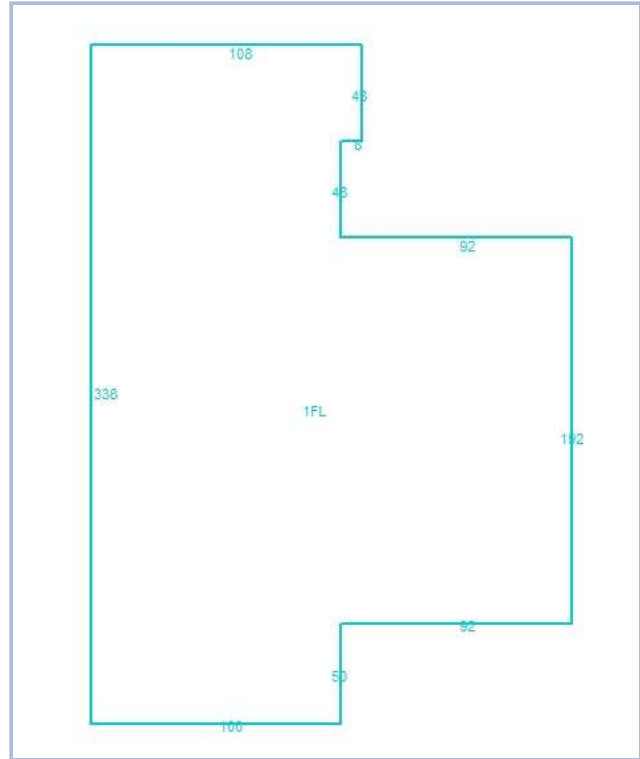
Property Information			
Property Address	Legal Description	Acres	
14850 VETERANS MEMORIAL HWY	3 BLDGS/RAIL SPUR/8.386 ACRES, U.S. HWY 78	8.39	
Class Code (Not Zoning)	Neighborhood	Landlot/District	
Commercial	DC COMM-6070	147/25	
Homestead Exemption	Special	Tax District	
S0	3	COUNTY	

2020 Values				
Land	Improvements	Accessories	Total Value	Previous Value
\$211,400	\$1,455,700	\$124,900	\$1,792,000	\$1,792,000

Land Information			
Type	Description	Acres	Soil Productivity
RES	0	8.39	NA

Accessory Information			
Description	Year Built	Dimensions/Units	Value
Street List -25	2019	0x0 0.00	
Canopy	2017	40x96 0.00	\$9,800
Paving-Conc.(O) 4" >10000	2004	0x0 82500.00	\$93,500
Comm. Chain Link Barbed Wire	2004	5x4200 4200.00	\$13,700
Railroad Spur	1990	0x0 525.00	\$7,900

Commercial Improvements 1 of 3				
Description	Year Built	Square Feet	Exterior Walls	Value
Lumber Storage Bldg-5	2003	51,848		\$669,500



Commercial Improvements 2 of 3

Description	Year Built	Square Feet	Exterior Walls	Value
Office Buildings-4P	2000	1,680		\$136,000



Commercial Improvements 3 of 3

Description	Year Built	Square Feet	Exterior Walls	Value
Material Storage Bldg-5	2016	32,400		\$650,200

Commercial Improvements Extras

Description	Year Built	Dimensions/Units	Value
4Loading Dock-Steel & Concret	2017	20x40 0.00	\$11,700



Sales History

Sale Price	Sale Date	Reason	Grantor	Grantee	Deed Book	Plat Page
\$975,000	6/24/2011	Fair Market Value	CAPITOL ACQUISITIONS, LLC	VALDOSTA COLOR BLENDING, LLC	2947 679	
\$335,000	11/14/2000	Fair Market Value	WEYERHAEUSER COMPANY	CAPITOL ACQUISITIONS	0137101000	
\$0	11/14/2000	Corrective Deed	CAPITOL ACQUISITIONS	CAPITOL ACQUISITIONS	01383 0788	000260 250
\$100,000	11/30/1992	Fair Market Value		WEYERHAEUSER COMPANY	007890 347	

Assessor Report	Convert to PDF	Parcel Number
Douglas County, GA	2/23/2021	01470250014



Owner Information	
Owner	DEVELOPMENT AUTHORITY OF DOUGLAS COUNTY
Mailing Address 1	
Address 2	c/o USAA REAL ESTATE CO./JASON HANS
Address 3	9830 COLONNADE BLVD SUITE 600
City, State, Zip	SAN ANTONIO, TX 78230



Mobile
Maps and
Information



*Please note: Questions regarding any information should be directed to the Douglas County Appraisal Department at (770) 920-7228.

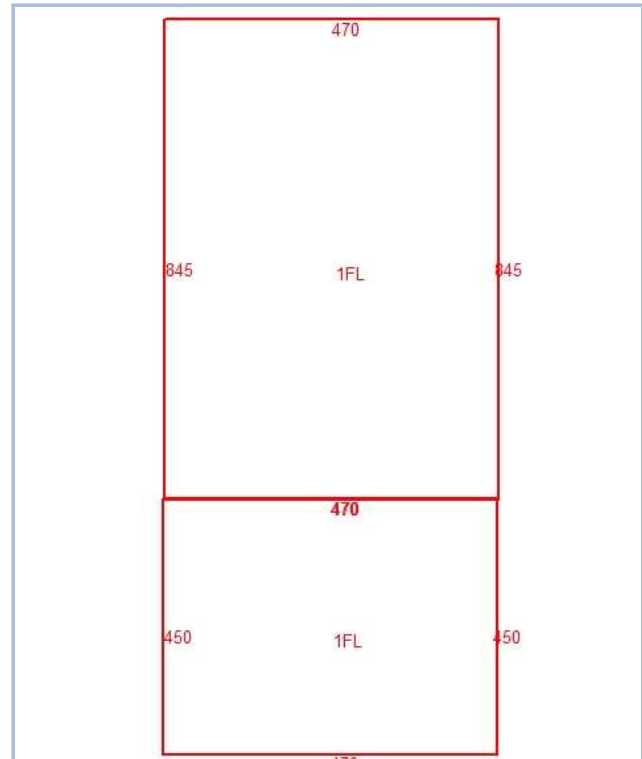
Property Information		
Property Address	Legal Description	Acres
5810 TRADE CENTER CT	BLDG/32.04 AC PCL #1. I-20 WEST TRADE CENTER	32.04
Class Code (Not Zoning)	Neighborhood	Landlot/District
Industrial	DC INDUST-6071	147/25
Homestead Exemption	Special	Tax District
S0	3	VILLA RICA

2020 Values				
Land	Improvements	Accessories	Total Value	Previous Value
\$1,000,000	\$14,760,000	\$240,000	\$16,000,000	\$16,000,000

Land Information			
Type	Description	Acres	Soil Productivity
RES	0	32.04	NA

Accessory Information			
Description	Year Built	Dimensions/Units	Value
Paving-Asph.(J) 3" >10000	2006	0x0 187625.00	\$150,000
Paving-Conc.(O) 4" >10000	2006	0x0 83700.00	\$90,000

Commercial Improvements 1 of 1				
Description	Year Built	Square Feet	Exterior Walls	Value
Mega Storage Dist Whse-3	2006	397,150		\$14,760,000



Commercial Improvements Extras

Description	Year Built	Dimensions/Units	Value
4Sprinklers Wet>100KSqFt	2006	0x0 397150.00	\$885,700

Sales History

Sale Price	Sale Date	Reason	Grantor	Grantee	Deed Book	Plat Page
\$0	8/1/2006	Government (HUD,etc)	VILLA RICA INDUSTRIAL, LLC	DEVELOPMENT AUTHORITY OF DOUGLAS COUNTY	2467 152	
\$2,926,000	8/25/2005	Land purchased and split	BENCHMARK UNITED, INC.	VILLA RICA INDUSTRIAL, LLC	2221 983	33 95

Assessor Report	Convert to PDF	Parcel Number
Douglas County, GA	2/23/2021	01470250018



Owner Information	
Owner	BENCHMARK UNITED, INC.
Mailing Address 1	
Address 2	2266 FAIRBURN ROAD
Address 3	
City, State, Zip	DOUGLASVILLE, GA 30135



Mobile
Maps and
Information



*Please note: Questions regarding any information should be directed to the Douglas County Appraisal Department at (770) 920-7228.

Property Information		
Property Address	Legal Description	Acres
101 BOGGS ROAD	BLDG/10.01 ACRES BOGGS ROAD	10.01

Class Code (Not Zoning)	Neighborhood	Landlot/District
Commercial	DC COMM-6070	147/25

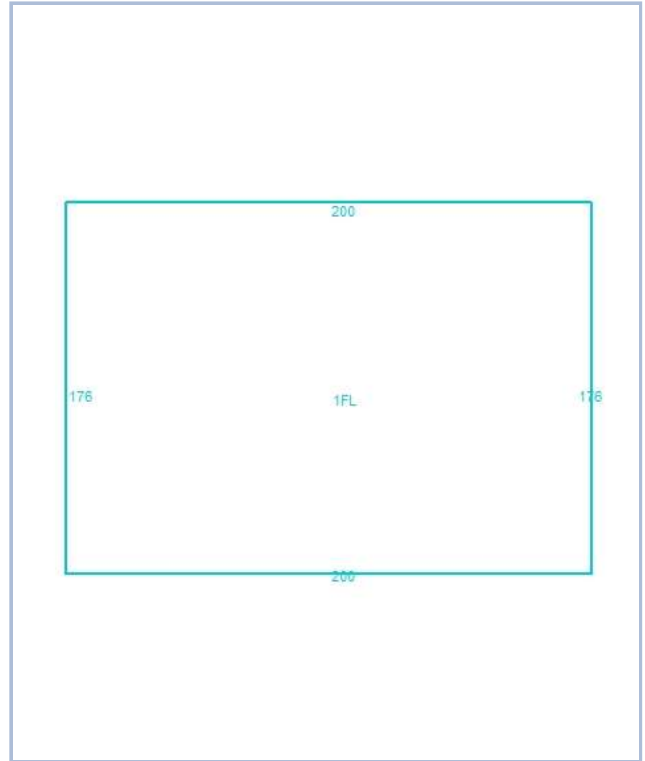
Homestead Exemption	Special	Tax District
S0	3	VILLA RICA

2020 Values				
Land	Improvements	Accessories	Total Value	Previous Value
\$960,900	\$1,399,400	\$3,400	\$2,363,700	\$2,363,700

Land Information			
Type	Description	Acres	Soil Productivity
RES	0	10.01	NA
RES	0	10.01	NA

Accessory Information			
Description	Year Built	Dimensions/Units	Value
Comm. Chain Link Fence	2017	6x1000 0.00	\$3,400

Commercial Improvements 1 of 1				
Description	Year Built	Square Feet	Exterior Walls	Value
Storage Warehouse-5	2017	35,200		\$1,399,400





March 10, 2021

Revised – April 29, 2021

Alisa Doyal, City Clerk
City of Villa Rica
571 W. Bankhead Highway
Villa Rica, GA 30180

Re: Planning Report
ServPro – Ricky Wilson
VA-05-21
Hwy 78/Veteran's Memorial Highway
Land Lot 147, District 2, Section 5
Parcel # 01470250019
Acreage: 10.81
Ward: 1
Planning Board Member: Willie Marchman
City Council Member: Shirley Marchman
City of Villa Rica, Douglas County, Georgia

Dear Mrs. Doyal:

ServPro/Ricky Wilson (the Applicant) seeks a variance from the city requirement to provide sidewalks along all frontages. The property fronts onto Highway 78/Veterans Memorial Highway. The variances are outlined in Section D.

The following documents, which were submitted in support of the application, have been reviewed:

1. Application for a Variance, dated March 3rd, 2021;
2. Applicant Summary Description of Project, dated March 5, 2021 and signed by Darryl D. Ray, RLA;
3. Warranty deed, dated February 5th, 2021, signed by Larry B. Boggs of Benchmark United, Inc.;
4. Sidewalk Variance Exhibit, dated March 3rd, 2021, prepared by HRC Inc.



A. Existing Conditions

The subject property is located south of Highway 78/Veterans Memorial Highway in Douglas County. The parcel has approximately 1,065' of frontage along Highway 78 and consists of 10.81 acres. The property features soft hills and does not have any streams within its boundaries.

The parcel is currently zoned Industrial Medium-Density (I2) and features undeveloped land. The parcel borders a city boundary/unincorporated area along its northern and western edges. The parcel is directly adjacent to the I2 Zone to the west and south. In addition, the parcel borders the Residential-Agricultural (R-A) zone to the east and Light Industrial (LI) zone to the north, both of which are administered by Douglas County based on the Douglas County Zoning Map, Villa Rica Zoning Map and Douglas County Tax Assessor map. However, the Villa Rica Future Land Use Map indicates the property north of the subject site (across Highway 78) is in the city limits, which appears to be in error.

The parcel borders the following parcels (the current use on each is included):

- 14850 Veterans Memorial Highway – Northern border along Veterans Memorial Highway/Highway 78 – 8.39 acres; **Scruggs Blending & Packaging (cement manufacturer) warehouse and production facility.**
- 5810 Trade Center Court – Southern border along Trade Center Court – 32.04 acre; **Southwire warehouse.**
- 101 Boggs Road – Western border along Boggs Road and Highway 78 – 10.01 acres; **Southeast Connections (utility contractor) offices and warehouse.**
- 14851 Veterans Memorial Highway – Eastern border along Veterans Memorial Highway/Highway 78 – 3.21 acres; **American Tel & Tel Co (ATT) cell tower.**

Surrounding Properties:

TABLE 1 – SURROUNDING LAND USES		
	Current Zoning	Land Use Character Area
North	Light Industrial (LI) – Douglas County	Workplace Center (WC)
East	Residential-Agricultural (R-A) – Douglas County	Transportation/Communication/Utilities (TCU)
South	Industrial Medium-Density (I2) – City	Industrial Activity Center
West	Industrial Medium-Density (I2) – City	Industrial Activity center



applicant's stated reasons for not complying with the sidewalk regulations is due to the adjacent parcels being developed without a sidewalk along the frontage of Highway 78, no existing sidewalk to connect to, and this route being in close proximity to a commercial corridor and the I-20 Gateway. The applicant states that the owner believes that the required sidewalk is not necessary in this area and it would create an extra cost for an unnecessary element of the development.

Flood Plain

The property is not located within a flood zone and is not considered a Special Flood Hazard Areas as designated by FEMA. Figure 2, below, indicates the flood zone map:

National Flood Hazard Layer FIRMette



Legend

SEE FIRM REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, X, AE3 With BFE or Depth from A.C.A.Q. AE, VC, AF Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot, or with drainage areas of less than one square mile, Zone X Future Continuous 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levee, See Notes, Zone X Area with Flood Risk due to Levee Zone X
OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard Zone X Effective USMS Area of Unclassified Flood Hazard Zone X
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation Channel Transition Base Flood Elevation Line (BFE) Limits of Study Jurisdiction Boundary Channel Transition, Bedding Profile Baseline Hydrographic Feature
MAP PANELS	Digital Data Available No Digital Data Available Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



Figure 2: FEMA Flood Map



D. Variances

The developer has requested variance relief from one subsection of Section 304 of the Villa Rica Development Regulations as outlined below. The applicant has cited that there is no sidewalk to connect to and the adjacent parcels being developed without a sidewalk as the primary purposes of their request as outlined in Section C.

The Applicant has requested variance relief for the following:

1. Section 304.10(A) – Sidewalks shall be required on at least one side of all new streets. In addition, they shall be required on all existing streets where new building construction occurs if required by the Community Development Department. In addition, they shall be required on all existing streets where new building construction occurs if required by the Community Development Department.

The applicant proposes to exclude sidewalks from being installed on the Veterans Memorial Highway/Highway 78 frontage, which is approximately 1,065’.

Proofs for Variances

In review of the variance requested for the development, the “benefits vs. detriments” of such an approval was reviewed in addition to the purposes of the Comprehensive Plan. The purposes of the request were made clear by the applicant in their application and stem from the lack of connectivity of the sidewalks to other sites as those sites were developed without sidewalks. The applicant has also stated that because of the location of the site near a commercial corridor and the I-20 Gateway Character Area, a sidewalk is not appropriate. Staff could not identify any benefits or detriments from an approval of the requested variance.

The Comprehensive Plan states the following regarding the Industrial activity Center areas:

“Preservation and expansion of existing industrial development should respect adjacent land uses and existing development patterns (including building placement, lighting, site features, streetscape, etc.). When feasible, campus-style industrial developments are encouraged, with an emphasis on high quality construction and design and inter-connectivity.”

The existing development pattern in the area is exclusive of sidewalks in all developments nearby. While it is feasible to install sidewalks along the road frontage, it is not viable to do so should the sidewalks not connect to the adjacent sites to create a path of walkability from site to site and nearby destinations. Inter-connectivity is solely vehicular in nature. Therefore, it can be concluded that the Comprehensive Plan will not be negatively impacted by the variances. Staff advises that the benefits of the variances would substantially outweigh any detriment.

Variance Decision Criteria

In taking action on all variance requests, the Council shall use the following decision criteria,



consistent with the requirements of the Georgia Code.

a) Development Standards Variance. The Council may grant a variance from the development standards of this ordinance (such as height, bulk, area) if, after a public hearing, it makes a determination in writing (consistent with *O.C.G.A. 36-66-1*), that:

i) General Welfare. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;

The approval of the variances would not be injurious to the public health, safety, morals, and general welfare of the community.

ii) Adjacent Property. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and

The value of the surrounding properties is not expected to decline or be otherwise reduced in value by permitting the variances.

i) Practical Difficulty. The strict application of the terms of this ordinance will result in a practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.

The application of the zoning ordinance will not result in a practical difficulty in the use of the property; however, it is impractical to construct sidewalks for the development that do not lead to a network of other sidewalks. Veterans Memorial Highway does not currently have sidewalks within Douglas County, and it may be unreasonable to require them for one property on the entire road length within the Douglas County portion of the city. While the applicant has specified that the requirement would cause a financial burden, the applicant has also specified legitimate reasoning for the request specific to the inability to connect the site for pedestrian access even with the installation of sidewalks. It does not appear that the request is self-imposed.

E. Comments

No Staff Comments.

Recommendation:

Staff recommendation:

Variances: APPROVAL w/ Conditions

Reasons: The lack of sidewalk networks to connect the required off-site sidewalks make the strict application of the code impractical.



Conditions:

- The applicant shall contribute to the city's established "sidewalk bank" fund for the purpose of future installation of the sidewalk by the city or its approved vendor. The applicant shall follow all requirements and calculations on contribution limits established by the sidewalk bank ordinance and the City Engineer/Department of Community Development Director.

Public Notifications:

As required by *Section 11.05* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on March 25th, 2021; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

In response to the public notifications, no residents have contacted the city objecting to the proposed variances.

Should you have any questions concerning the above comments please do not hesitate to contact my office. We reserve the right to make additional comments based upon further review or submission of revised plans or new information.

Very truly yours,

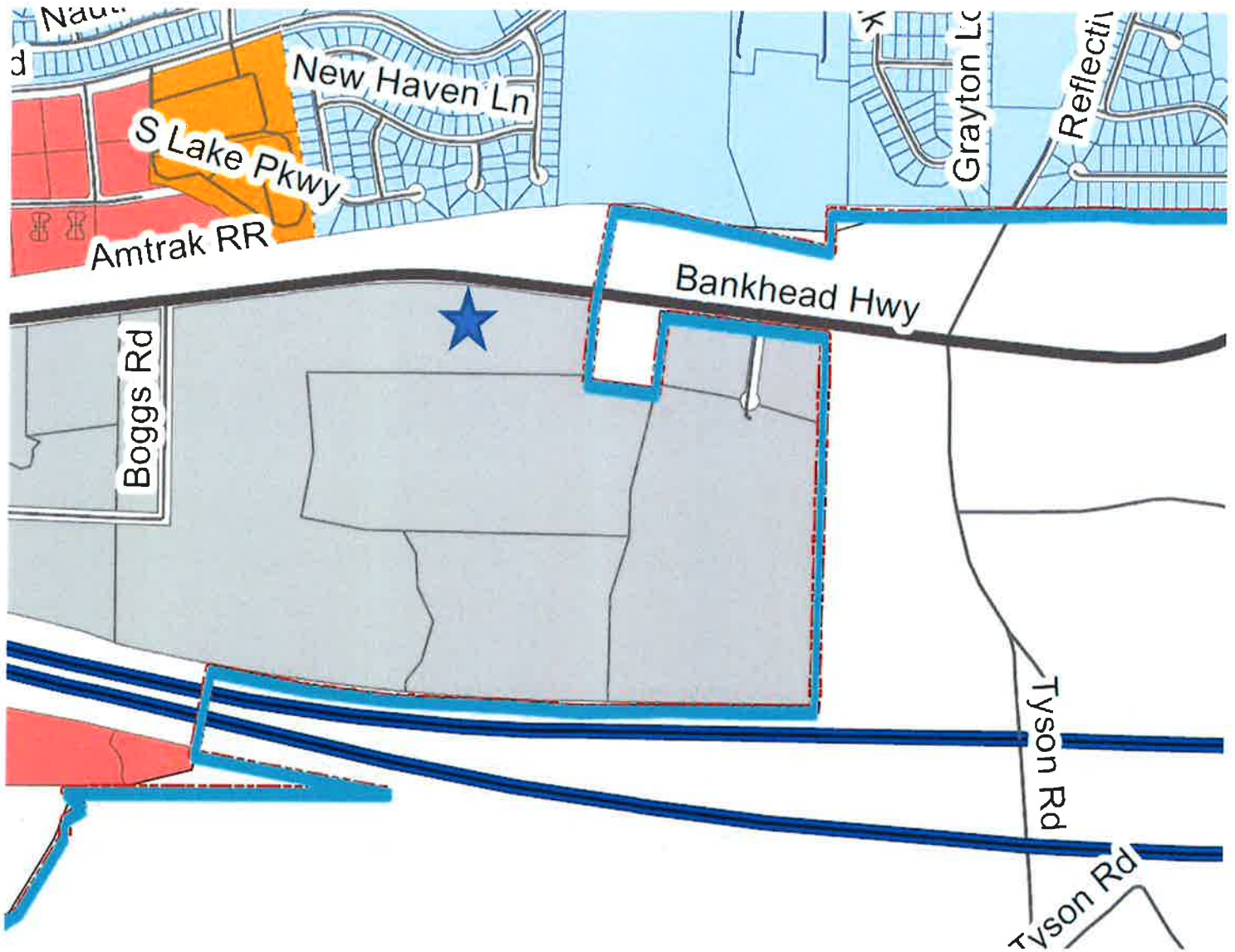
Ronald Johnson

Planning & Zoning Specialist

cc: Tom Barber, City Manager (via email)
David Mecklin, Esq., City Attorney (via email)
Bobby Elliott, P.E., Community Development Director/City Engineer (via email)
Chris Montesinos, AICP (via email)



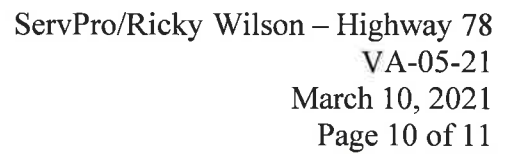
Villa Rica Zoning Map:





Villa Rica Future Land Use Map:

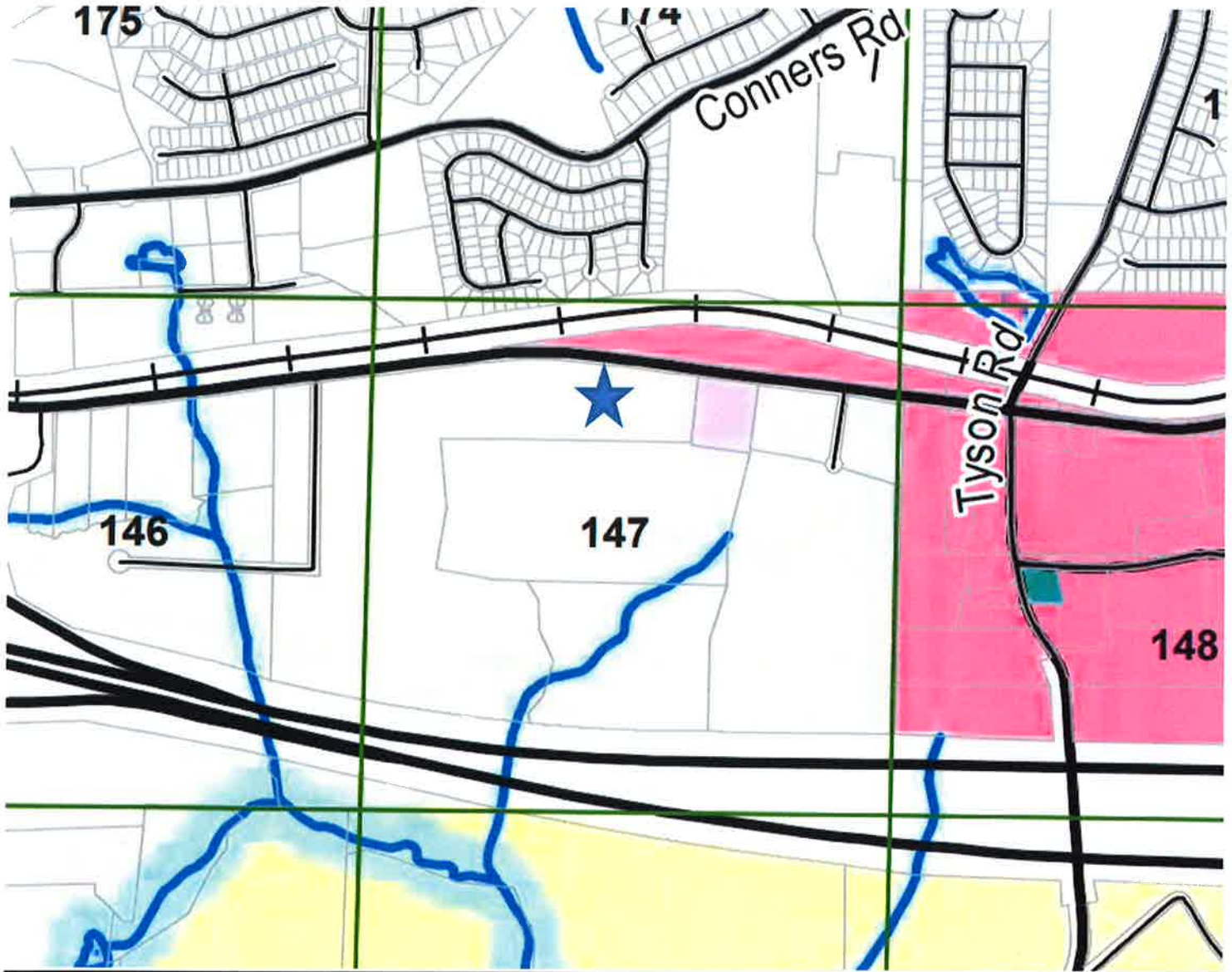




A map of the study area showing the location of the study site (star) relative to the river and surrounding areas. The map includes a grid of green lines, a blue river, and a black line representing a road or boundary. The study site is marked with a blue star in the center of the map. The map is labeled with numbers 146, 147, 148, and 173, and a shield-shaped road sign with the number 78.



Douglas County Future Land Use Map:





CITY OF VILLA RICA

City Council Packet

SUBJECT: ORD- Ordinance to Designate Various Properties Downtown as a Local Historical District – Downtown Villa Rica Historic District

CITY COUNCIL AGENDA DATE: May 11th, 2021

DATE: April 29th, 2021

PREPARED BY: Ronald Johnson, Planning & Zoning Specialist

FISCAL IMPACT: NONE

PURPOSE: The purpose of this ordinance is to designate 33 properties as a local historic district known as the “Downtown Villa Rica Historic District” for preservation purposes.

BACKGROUND: The Villa Rica Historic Preservation Commission identified several structures for possible designation as a local historic site in its quest to protect the historic resources within the city. Downtown Villa Rica has a storied history that includes the Villa Rica Explosion, the transport of gold from Pine Mountain to the broader market, six cotton warehouses that used the Southern Railway for transport, and the center of civic and cultural life in Villa Rica at the turn of the century. Designation of a local historic site will require the included structures to be granted a Certificate of Appropriateness by the Historic Preservation Commission prior to any exterior changes or demolition of the structure to move forward. Changes to the included properties will be required to follow the Architectural Design Guidelines for Historic Districts and Places upon adoption. Letters advising of the designation were successfully sent to the property owner at the addresses listed within the attached ordinance, as well as four legal ads and one article placed in two newspapers, an informational workshop conducted by the HPC, along with a public comment period at the HPC meeting prior to the HPC making a recommendation. One written objection was submitted by a single property owners or business owners; however, one affected property owner has indicated they were not in favor of the proposed designation and signed the city-created objection list. He has also submitted a petition with seven properties, owned by four owners, that have signed in opposition. A total of five property owners have objected to designation out of seventeen.

STAFF RECOMMENDATION: In connection with the Historic Preservation Commission’s recommendation to the City Council to approve the site as a locally designated historic site at a meeting held April 27th, staff is recommending approval of this designation.

STATE RECOMMENDATION: Approval

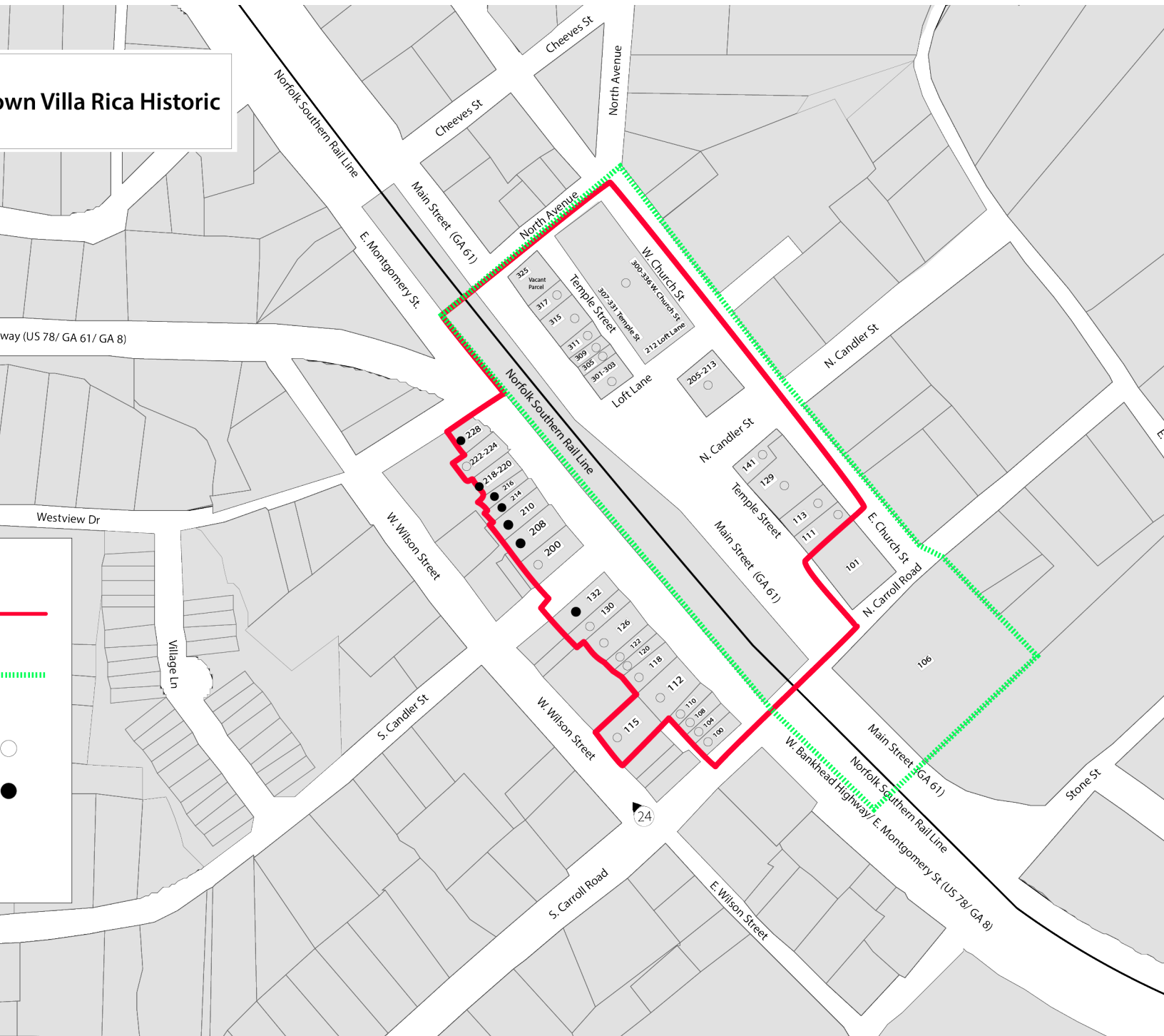
HISTORIC PRESERVATION COMMISSION VOTE: 5-0 (unanimous)

MOTION:

- (1) I move to approve an ordinance to create the Downtown Villa Rica Historic District as a local historic district as indicated on the attached Downtown Villa Rica Designation Map and described in the Nomination Report, as presented.
- (2) I move to make the necessary changes to the Official Zoning Map for the City of Villa Rica to place an overlay onto the zoning map for the designated properties.

own Villa Rica Historic

way (US 78/ GA 61/ GA 8)



The North Villa Rica Commercial District

The North Villa Rica Commercial Historic District, centered on Temple Street in Villa Rica, Carroll County, Georgia, was listed in the National Register of Historic Places on December 31, 2002. The Villa Rica Downtown Development Authority sponsored the nomination and property owners prepared the nomination materials.

Although Villa Rica was settled by farmers and gold miners around 1830, the town's development did not coalesce until 1881 when the Georgia Pacific Railroad was laid. The next year, the town plan was established as a series of blocks laid out in a gridiron pattern with the railroad line running east to west through the center of the commercial district. The North Villa Rica Commercial Historic District comprises the rail line, the plan of streets, and the four intact blocks of commercial buildings north of the railroad.

The blocks within the district consist of mostly attached one-story brick commercial buildings constructed between 1900 and 1929. Typically, the buildings feature a center entrance flanked by display windows. Many of the commercial buildings are plain with little decorative detail but some, such as 141 Temple Street, include arched windows and transoms and corbelled brickwork in the parapet. Villa Rica Lodge No. 72 is the only historic two-story commercial building in the historic district.

In addition to commercial buildings, the district contains several cotton warehouses. The Pope Brothers Warehouse at 301-319 Temple Street is typical. It is a large, one-story brick warehouse with pedestrian entrances and arched entrances for wagons. A brick addition that doubled the size of the Pope warehouse was built in 1949.

The National Register is the federal government's official list of historic buildings, structures, sites, objects, and districts worth of preservation. According to Richard Cloues, deputy state historic preservation officer, listing in the National Register recognizes a property's significance and ensures that the property will be taken into account in the planning of federally funded or licensed projects. In addition, owners of income producing National Register properties may be eligible for rehabilitation tax incentives.

The North Villa Rica Commercial District



District	Contributing	Non-Contributing	Parcels
North Villa Rica Commercial	16	3	19

The South Villa Rica Commercial District

West Montgomery Street is the only street included in this district. It is found on all the available Sanborn maps. By 1923, the road was fully developed with stores, restaurants, a bank, and a motion picture house, although the Sanborn noted that it was not being used. The 1933 map shows the development of Bankhead Highway, which caused the loss of a dwelling that once occupied the corner of Montgomery and Westview. Next door to the dwelling was a hotel, but by 1933 it has become a rooming house. By 1944, it had been either totally remodeled or rebuilt as a duplex, and there was a filling station on the corner (what is now probably Butterball's). The 1933 map also shows that the building on the corner of Candler and Montgomery (where the sports bar is now) was being used as not only a movie theater, but also had an auto sales store in the front left corner of the store. The bank was still attached to the movie house, and by 1933 a store had been built attached to the rear side. Berry's Pharmacy appears as a drugstore on the 1933 map, as well, and city hall was located in the tall building where the CPA office is now on the 1923 map. For many years it was a restaurant, according to the 1944 map and photographs taken previous to the explosion. A filling station had also been built on the corner of Westview and Montgomery by 1933, but by 1944 it was removed with a store that sat caddy-corner. Also between 1923 and 1933, the buildings had been streamlined and attached, and some that had once been single retail had become double retail stores. The old bank building underwent a major renovation, probably in the 1970s or 1980s. It has been severely compromised and does not retain any of its historic fabric. The rest of the buildings on this block have been compromised because of various renovation projects, particularly with the addition of stucco on a couple of the buildings. The block with Berry's pharmacy has seen changes as well, in particular the end with the buildings that were rebuilt after the 1957 explosion. Although Berry's has been remodeled to its original appearance, the buildings immediately adjacent to it retain their late 1950s appearance. Overall, the Berry's block retains more of its historic appearance than the other block, but there have still been compromises with appearance and use of materials.

The South Villa Rica Commercial District



District	Contributing	Non-Contributing	Parcels
South Villa Rica Commercial	19	2	21

100 West Montgomery Street, Villa Rica

1902 (per tax records)

Style: None

Plan type: Single Retail



Architectural Description

Large arched picture windows; layered brick cornice; three recessed spaces; corbelled brick turned on end; elliptical arches with grey headers; French doors.

Additions and Alterations

Awnings over windows and doors; if structure was built in 1902, the door and windows are replacements.

Outbuildings

None.

Architectural Integrity

Even with the replaced doors and windows and awnings, good example of a turn-of-the-century retail building, and still contributes to maintaining the historical integrity of the downtown.

Contributing or Non-Contributing

Contributing.

Surveyed by Holly Lane, Center for Public History, UWG, July 14, 2009.

104 W. Montgomery, Villa Rica

1902 (per plaque); 1968 (per tax records); 2002 (building remodeled into restaurant)

Style: None

Plan type: Single Retail



Architectural Description

Tan color of brick (late 20th century); glass tile under awning, possibly original; brick piers at corner of building.

Additions and Alterations

Awning across width of building; large plate glass store windows; original entry way closed in.

Outbuildings

None.

Architectural Integrity

Even with changes, a good example of an early-to-mid twentieth century single retail building.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

108 West Montgomery Street, Villa Rica

1950 (per tax records; historic plaque claims 1902)

Style: None

Plan type: Single Retail



Architectural Description

One story; brick façade; decorative signage; brick stretcher over windows; recessed double doors.

Additions and Alterations

1950s style windows; also appears that brick was replaced in the 50s, as well.

Outbuildings

None.

Architectural Integrity

Building may have originally been built in 1902, but after the explosion at Berry's Pharmacy in the 1950s, new windows may have been added.

Contributing or Non-Contributing

Contributing.

Surveyed by Ann McCleary, Center for Public History, UWG, July 13, 2009.

110 West Montgomery Street, Villa Rica

1902 (per tax records)

Style: None

Plan type: Single Retail



Architectural Description

One story; recessed door; transom lights over the two large plate glass windows; mansard roof with asphalt shingles; end wall visible, higher on left side; door could be original or a replacement.

Additions and Alterations

Roof and plate glass windows were probably replaced in the 1950s.

Outbuildings

None.

Architectural Integrity

Compromised - after the explosion at Berry's Pharmacy in the 1950s, structure probably was repaired, and lost the historical qualities of the original 1902 structure. However, still a good example of an early twentieth century retail building.

Contributing or Non-Contributing

Contributing.

Surveyed by Ann McCleary, Center for Public History, UWG, July 13, 2009.

112 West Montgomery Street, Villa Rica

1902 (per tax records)

Style: None

Plan type: Retail



Architectural Description

Large plate glass windows; brick façade; mansard roof the length of the building.

Additions and Alterations

Exterior of structure has been heavily remodeled.

Outbuildings

None.

Architectural Integrity

If building was built in 1902, it does not retain any of its original appearance or integrity because of heavy re-modeling, but it does possibly retain its original size and scale.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

118 West Montgomery Street, Villa Rica

1907 (per tax records)

Style: None

Plan type: Single or Double Retail



Architectural Description

Brick façade; recessed brick signage; ends are taller.

Additions and Alterations

Large plate glass windows; metal awnings.

Outbuildings

None.

Architectural Integrity

Compromised because of the awnings and large windows, but still a good example of an early twentieth century retail building.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

120 West Montgomery Street, Villa Rica

1915 (per tax records)

Style: None

Plan type: Single Retail



Architectural Description

Corbelled brick front; beadboard across store front; poured concrete where carriage house was; painted brick façade.

Additions and Alterations

Metal on top used to be wood; laminate flooring inside; black tile probably added later; 50's style shop windows.

Outbuildings

None.

Architectural Integrity

Even with the replacement windows and painted brick, it maintains the general appearance of an early twentieth century retail store. Was originally a grocery store and then a clothing store.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

122 West Montgomery Street, Villa Rica

1915 (per tax records)

Style: None

Plan type: Single Retail



Architectural Description

Brick front; beadboard ceiling in lobby; parquet flooring; marble and stone under windows, possibly original.

Additions and Alterations

50's style awning on outside of building; large plate glass windows.

Outbuildings

None.

Architectural Integrity

Somewhat compromised because of the awning and plate glass windows, but the structure itself has not been altered. Still a good example of an early twentieth century retail building.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

126 West Montgomery Street, Villa Rica

1958 (per tax records)

Style: None

Plan type: Single Retail



Architectural Description

One story; brick façade; large plate glass windows; flat metal awning.

Additions and Alterations

Vinyl across top of structure.

Outbuildings

None.

Architectural Integrity

Good example of a mid-to-late twentieth century retail store, although the vinyl across the top does affect the integrity.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

130 West Montgomery Street, Villa Rica

1974 (per tax records)

Style: Italianate

Plan type: Retail and Office



Architectural Description

Two story; recessed door; concrete stretcher and bracketed cornice across top of structure; recessed entry; concrete stretcher across top of windows and door; large plate glass windows.

Additions and Alterations

In the late 1950s, a gas explosion destroyed the original Berry's Pharmacy. Structure was rebuilt nearly identical to the original structure. Building was probably remodeled in the mid-seventies.

Outbuildings

None.

Architectural Integrity

Although rebuilt and possibly remodeled, structure maintains its historical integrity.

Contributing or Non-Contributing

Contributing.

Surveyed by Ann McCleary, Center for Public History, UWG, July 13, 2009.

200 West Montgomery Street, Villa Rica

1941 (per tax records); remodeled in to a restaurant in 2002 (per tax records)

Style: International

Plan type: Multiple Retail



Architectural Description

Casement windows on side and front; brick façade may be original.

Additions and Alterations

Metal awning; large plate glass windows and doors; stucco on front and sides of building.

Outbuildings

None.

Architectural Integrity

In tact – no major alterations to structure; International style is unusual for a small town in Georgia.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

208 West Montgomery Street, Villa Rica

1899 (per tax records)

Style: None

Plan type: Office



Architectural Description

Brown stretcher brick; stone faced panels above; marble to east above and below window.

Additions and Alterations

Clock sign; large plate glass windows; double glass business doors.

Outbuildings

None.

Architectural Integrity

Compromised – the structure probably looks nothing like it did if it was built in 1899.

Contributing or Non-Contributing

Non-contributing because of excessive alterations.

Surveyed by Ann McCleary, Center for Public History, UWG, July 13, 2009.

210 West Montgomery Street, Villa Rica

1902 (per tax records – listed under 208 West Montgomery)

Style: None

Plan type: Retail



Architectural Description

Stone façade; tall, vertical windows; double glass business doors.

Additions and Alterations

The entire exterior has probably been altered from its original appearance.

Outbuildings

None.

Architectural Integrity

Compromised – structure retains none of its original appearance.

Contributing or Non-Contributing

Non-contributing because of excessive alterations.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

214 West Montgomery Street, Villa Rica

1912 (per tax records)

Style: Spanish Mission

Plan type: Single Retail



Architectural Description

One story; stuccoed exterior; awning with clay tile roof; arched plate glass windows.

Additions and Alterations

Some renovations – see description.

Outbuildings

None.

Architectural Integrity

Compromised - if the structure was built in 1912, it retains none of its original features, but does retain its original size and scale.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

216 West Montgomery Street, Villa Rica

1920 (per tax records)

Style: Italianate

Plan type: Retail and Office



Architectural Description

Two stories; impressed signage at top of building; Italianate windows on second floor.

Additions and Alterations

Arched windows on top; fake Spanish tile on awning; area over windows has been curved; building stuccoed.

Outbuildings

None.

Architectural Integrity

The stucco façade and fake Spanish tile roof detract from the building's historical integrity, but does retain its original size and scale.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

218 West Montgomery Street, Villa Rica

*1975 (per tax records)

Style: None

Plan type: Single Retail



Architectural Description

One story; stucco over brick; cloth awning.

Additions and Alterations

Structure probably remodeled in 1975 to current appearance.

Outbuildings

None.

Architectural Integrity

*Building was probably constructed in the early twentieth century, in which case it does not retain its original appearance, and therefore is compromised, but does retain its original size and scale.

Contributing or Non-Contributing

Contributing.

Surveyed by Holly Lane, Center for Public History, UWG, July 14, 2009.

220 West Montgomery Street, Villa Rica

*1967 (per tax records)

Style: None

Plan type: Single Retail



Architectural Description

One story; stucco over brick; arch over door; fanlight; large plate glass window; double front doors.

Additions and Alterations

Building has been heavily renovated.

Outbuildings

None.

Architectural Integrity

*If the structure was built in 1967, it maintains its integrity, but if it was built in the early twentieth century then its integrity is compromised, but does retain its original size and scale.

Contributing or Non-Contributing

Contributing.

Surveyed by Ann McCleary, Center for Public History, UWG, July 13, 2009.

222 West Montgomery Street, Villa Rica

1922 (per tax records)

Style: None

Plan type: Single Retail



Architectural Description

One story; brick façade; fanlights over doors and windows; corbelled trim; two large plate glass windows; front door has large plate glass; recessed signage.

Additions and Alterations

Awnings over front door and windows.

Outbuildings

None.

Architectural Integrity

Good example of an early twentieth century single retail structure with minimal alterations.

Contributing or Non-Contributing

Contributing.

Surveyed by Ann McCleary, Center for Public History, UWG, July 13, 2009.

224 West Montgomery Street, Villa Rica

Ca. 1900-1925

Style: None

Plan type: Single Retail



Architectural Description

Impressed signage; painted brick façade.

Additions and Alterations

50's style awning; painted brick; large plate glass front windows; French doors in front.

Outbuildings

None.

Architectural Integrity

Even with the awning, plate glass windows, and French doors, structure does retain its original size and scale.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

228 West Montgomery Street, Villa Rica

1930/1985 (per tax records)

Style: None

Plan type: Office



Architectural Description

Ell shaped; stucco; awning over door; French doors; large window in front with transom; hipped roof.

Additions and Alterations

Structure has been heavily remodeled.

Outbuildings

None.

Architectural Integrity

Compromised – building was remodeled in 1985, and does not retain any of its original appearance. Structure appears to have possibly have been a gas/service station.

Contributing or Non-Contributing

Contributing.

Surveyed by Shanda Davidson, Center for Public History, UWG, July 14, 2009.

115 Wilson Street, Villa Rica

1902 (per tax records)

Style: None

Plan Type: Single Retail



Architectural Description

Raised one story; flat roof; recessed signage with decorative brick; layered brick cornice; full brick building; brick porch and steps.

Additions and Alterations

Some windows filled in on side and back; front door and windows replaced in the 50's; 50's style metal awnings on side; stone foundation on back.

Outbuildings

None.

Architectural Integrity

Even with the replaced front door, still a good example of a single retail building from the early twentieth century. Doyle's Feed and Seed has been a fixture in the Villa Rica community since it opened its doors in 1902.

Contributing or Non-Contributing

Contributing.

Surveyed by Holly Lane, Center for Public History, UWG, July 15, 2009.

Staff Report

Council Ward: 3

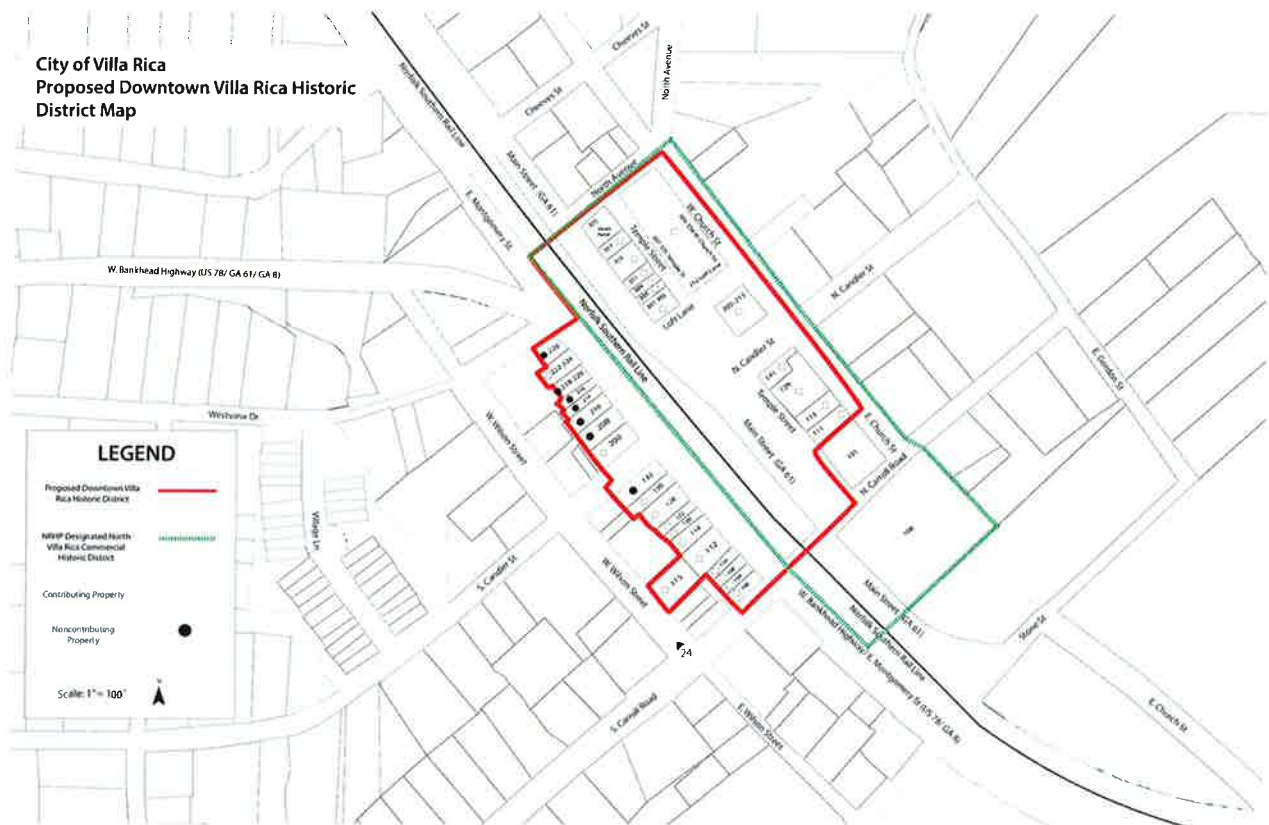
City Council Member:
Leslie McPherson, Ward 3

Public Hearing Date

Historic Preservation Commission: April 27th, 2021

City Council: May 11th, 2021

Request: Designation of 33 properties as a local historic district, "Downtown Villa Rica Historic District", for preservation purposes.



Project Description:

The Historic Preservation Commission (HPC) has proposed to designate 33 properties within the city limits as a local historical district that would require owners to acquire a Certificate of Appropriateness (COA) prior to any material changes in appearance. These structures have historical value to the city that the HPC has deemed important to protect and preserve. The sites are commercial, residential and mixed-use in nature, including apartments, retail establishments, restaurants, offices and meeting spaces. Villa Rica currently does not have any local historic districts, but has one district on the National Registry of Historic Places, the North Villa Rica Commercial Historic District. Thirteen of the thirty-three sites proposed for designation are to encompass this same area, sans the Villa Rica Police Department, Municipal Court, Amphitheater and Main Street offices, which are not proposed for local designation. The city is separately in the process of dismantling the North Villa Rica Commercial Historic District in favor of a new national district that encompasses the same boundaries as the proposed local historic district at the suggestion of the state Historic Preservation Division (HPD). The new nationally-registered district is a completely separate process than the establishment of the local district. The local historic district designation would require design review for exterior changes to properties within the district by the HPC and would require a Certificate of Appropriateness issued by the commission in order for such changes to take place.

The State of Georgia HPD has a stringent set of procedures on designating properties that includes all property owners being notified of this change both prior to the HPC and governing body voting on designation as well as post designation. The Community Development Department has sent certified and regular mail letters to all property owners and can confirm receipt. The HPC and staff have also walked around to each business owner to hand out literature on the change, and discuss the proposed district to ensure that they have every opportunity to provide commentary. The HPC has conducted a public workshop meeting to educate the public on the purposes behind the establishment of the district along with background information on the benefits in doing so. In addition, the state requires a designation report to be filed with the HPD that includes the history of the site, description of the property and structures, photos and maps. The city has filed the required designation reports for the proposed district (which is attached). HPD response is pending. While the state requires the city to file a designation report and they respond with a letter recommending designation or not recommending designation, the opinion is purely a recommendation and the city has the authority to move forward with designation regardless.

Designation has several important qualities that would be beneficial to the city, including:

- The properties can be governed by the Architectural Review Guidelines for Historic Districts and Sites that guide renovations and demolitions of structures and/or surrounding landscapes on the properties. This is the primary tool for preservation initiatives.
- The properties can be developed as attractions through the help of property owners for marketing and tourism purposes.
- The Community Development Department can apply for grants, such as the Georgia Heritage Grant, for different projects concerning preservation of these sites if they are eligible to be on the Georgia Register of Historic Places.
- Protection of the downtown area from adverse changes that would impact the built environment and aesthetic that we enjoy in the downtown today.

Staff Comments:

Should the City Council be prepared to affirm the Historic Preservation Commission's proposed designation, the following actions must take place:

1. The official zoning map and tax map of the city would need to be updated to reflect the designations.
2. Within 30 days following the adoption of the Designation Ordinance, the owners and occupants must receive written notification of the designation and the notice should advise them that a COA must be obtained from the HPC prior to any material change in appearance.

Recommendation:

HPC recommendation: **APPROVAL**

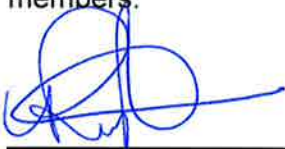
Staff recommendation: **APPROVAL**

Public Notifications:

As required by the *Georgia Historic Preservation Division*, the public has been notified in *Times-Georgian* on April 6th, 16th, 17th, and 20th and all property owners were mailed notices certified and regular mail at least 15 days prior to the meeting. The staff and HPC also visited all shops in the downtown and provided information on the dates of the hearings as well as background information on the proposal. The HPC Chairwoman also placed an article in *The Star* newspaper. The HPC also had a public workshop to educate the public on the merits of historic preservation and to provide insight into the proposed actions.

Public Response:

In response to the public notifications, only one property owner has come forward and has voiced their concern with the designation and asked questions regarding the future viability of a sale of the site and the HPC requirements after designation. All questions were answered by staff members.



Ronald Johnson, Planning & Zoning Specialist
Community Development Department

Attachments:

1. Cover letter
2. Designation Report
3. Designation Map
4. Photos

GIL MCDUGAL, MAYOR
CITY COUNCIL:
DANNY CARTER, MAYOR PRO TEM
LESLIE MCPHERSON
SHIRLEY MARCHMAN
MICHAEL YOUNG
MATTHEW MOMTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
770.459.7000 | VILLARICA.ORG

April 12, 2021

Paige Jennings, Certified Local Government Coordinator

Georgia Department of Community Affairs
Historic Preservation Division
60 Executive Park South, NE
Atlanta, Georgia 30329

RE: Establishment of Downtown Villa Rica Historic District

Dear Ms. Jennings,

The City of Villa Rica is officially requesting consideration for the establishment of a local historic district within our jurisdiction. The proposed Downtown Villa Rica Historic District is scheduled to be heard at three public meetings prior to passage on April 20th (public educational workshop), April 27th (Historic Preservation Commission recommendation vote), and May 11th (City Council final vote). Please find attached our designation report, a map of the area to be designated, and representative photographs of the locations to be designated. We look forward to your review of this information and any feedback you're able to provide. Should a visit to the district be required by HPD, we are open and welcome to accommodating your schedule.

Should you have questions or require additional information, please feel free to contact me directly.

Thank you in advance for your consideration.

Sincerely,

Ronald Johnson
Planning and Zoning Specialist
City of Villa Rica

DOWNTOWN VILLA RICA HISTORIC DISTRICT

OVERVIEW OF THE NATIONAL AND
LOCAL DESIGNATION

Ronald Johnson

Planning & Zoning Specialist





AGENDA

- Overview of Proposal
- Designation Area Map
- History of Preservation in Villa Rica
- Differences between National and Local Designation
- Benefits of National and Local Designation
- Overview of Design Guidelines
- Overview of Certificate of Appropriateness Process
- FAQs/Myths Debunked
- Review of Public Outreach

OVERVIEW

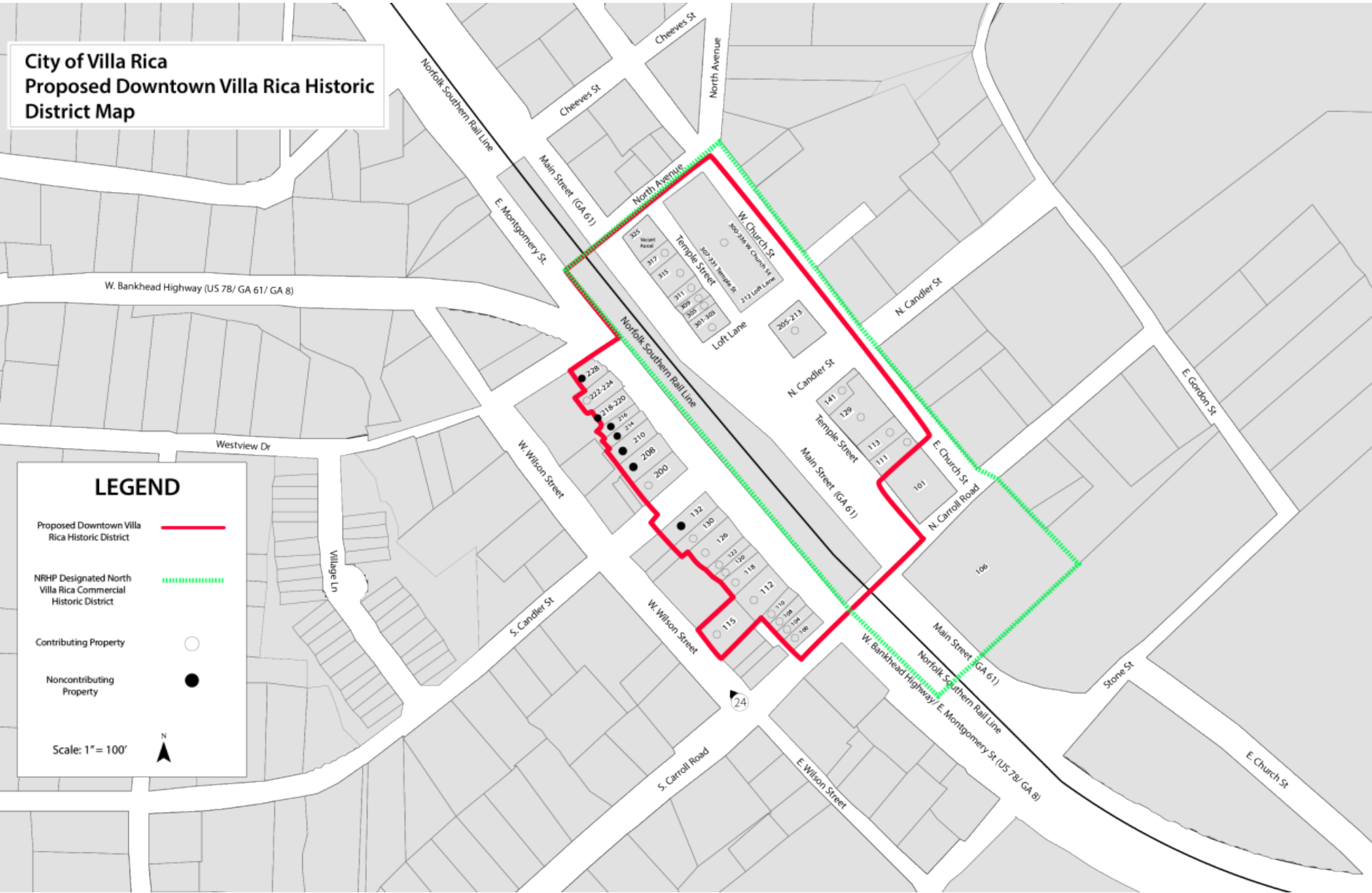
TWO actions are proposed to forward preservation activities Downtown:

- Expansion of the Nationally-designated North Villa Rica Commercial Historic District to include the area south of the railroad and subsequent renaming to Downtown Villa Rica Historic District.
- Creation of a local historic district by the same name for the same area.



City of Villa Rica
Proposed Downtown Villa Rica Historic District Map

MAP



Downtown Villa Rica Historic District

HISTORY OF PRESERVATION IN VILLA RICA

2002- The city applies for and is granted their first National Registry of Historic Places (NRHP) designation for the North Villa Rica Commercial Historic District. The Villa Rica Downtown Development Authority sponsored the nomination and property owners prepared the nomination materials.

2008- The City Council passes a historic preservation ordinance creating the Historic Preservation Commission (HPC).

2010- The HPC commissions a Historic Inventory Assessment with the help of the University of West Georgia to detail potential historic districts, contributing properties and historic assets throughout the city.

2019- The City Council approves a new design review criteria document called “Design Guidelines for Historic Districts and Sites”. The Council also approves 10 scattered sites throughout the city for listing as local historic sites.

2021- City Staff send designation documents to the HPC and City Council for a potential designation of the entire downtown within a unified local and national historic district.



NATIONAL DISTRICTS

- A National Register historic district is a historic district that is listed in the National Register of Historic Places. The National Register is our country's official list of historic places worthy of preservation. It includes individual buildings, structures, sites, and objects as well as historic districts that are historically, architecturally, or archaeologically significant.
- National Register listing recognizes the significance of properties and districts. By doing so, it identifies significant historic resources in a community. Boundaries of National Register districts are tightly drawn to encompass only concentrated areas of historic properties. National Register listing also makes available specific preservation incentives and provides a limited degree of protection from the effects of federally funded, licensed, or permitted activities.
- The National Register is maintained by the U.S. Department of the Interior. In Georgia, the National Register program is administered by the Historic Preservation Division in DCA.

POSITIVES TO NATIONAL LISTING

Grants

Qualifies property owners for federal and state grants for preservation purposes.

Incentives

Certain tax incentives are made available from the federal and state government for property owners to restore their properties.

Status

The status of the properties in question are elevated for grant and loan applications from federal and state sources.

Protection

Provides protection from the effects of federally assisted undertakings.

LOCAL DISTRICTS

- A local historic district is a district designated by a local ordinance, which falls under the jurisdiction of a local historic preservation review commission. A local district commission deals only with the appearance of the district, not with the uses of those properties.
- According to the 1980 Georgia Preservation Act, which makes such local designations possible, a local historic district is a “geographically definable area, urban or rural, which contains structures, sites, and/or works of art which have special historical or aesthetic interest or value; represents one or more periods or styles of architecture typical of one or more eras in the history of the municipality, county, state, or region; and causes that area to constitute a visibly perceptible section of the community.”
- The designation of a local district protects the significant properties and the historic character of the district. It provides communities with the means to make sure that growth, development, and change take place in ways that respect the important architectural, historical, and environmental characteristics within a district.

LOCAL DISTRICTS

- Local designation encourages sensitive development in the district and discourages unsympathetic changes from occurring. This happens through a process called design review, whereby the historic preservation commission approves major changes that are planned for the district and issues Certificates of Appropriateness which allow the proposed changes to take place.

POSITIVES TO LOCAL LISTING

Design Review

Protects the historic character and quality of the district with specific design controls. The local HPC has the ability to review and approve exterior changes to structures or sites before a building permit is issued within the district.

No Use Restrictions

Does not restrict the use to which property is put in the district or require property owners to make improvements to their property.

Prevention

Provides for review of proposed demolitions within designated areas; may prevent or delay proposed demolitions for specific time periods to allow for preservation alternatives.

Protection

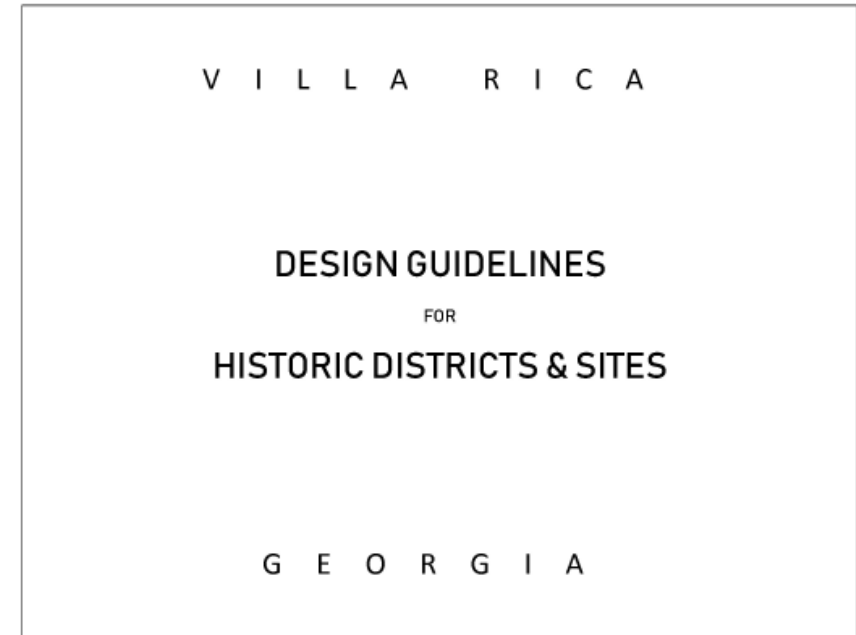
Ensures quality and thoughtful new development complements the existing development.

NATIONAL VS LOCAL

	National	Local	No District
Requires conformance to design guidelines or preservation standards when property is rehabilitated.		X	
Prevents the demolition of historic buildings and structures within designated areas.		X	
Makes available specific federal and state tax incentives for preservation purposes.	X		
Does not restrict the use or disposition of property or obligate private property owners into make improvements to their property in in any way.	X	X	
Provides a limited degree of protection from the effects of federally assisted undertakings.	X		

DESIGN GUIDELINES FOR HISTORIC DISTRICTS AND PLACES

- June 2019 – The City adopted new Design Guidelines for commercial and residential areas.
- The HPC uses this document as a guide for all applications that are submitted to the commission for review.
- Signs, windows, doors, exterior cladding, roofing, paving, and any other “material change” is reviewed by the HPC in conformance with the design standards.
- Not written in stone!



CERTIFICATES OF APPROPRIATENESS (COA)

- A CoA is issued by the commission as an approval to the changes sought by a property owner/business owner.
- The CoA is a prerequisite to any permits to be issued for exterior changes in the district.
- Design review can take 30 days.

 **City of Villa Rica**
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Please complete the blanks with the information requested. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Date of Application: _____

APPLICANT

Applicant Name: _____ City: _____ State: _____ Zip: _____
Address: _____
Phone: () _____ Fax: () _____
Email Address: _____
Owner's Name (if different than the applicant): _____
Address: _____ City: _____ State: _____ Zip: _____
Phone: () _____ Fax: () _____
Email Address: _____
NOTE: A notarized statement signed by the property owner(s) authorizing the Applicant to make this request shall be attached to the application.

PROPERTY INFORMATION

Property Address: _____ City: _____ State: _____ Zip: _____
Parcel Number: _____ County: _____
Zoning District: _____ General Plan Designation: _____
Age of Building: _____ Relocated or Original Site: _____
Unique Characteristics or History: _____
Detailed Project Description: _____

I, _____, hereby state that all of the above statements and statements contained in the document submitted with this application are true.

Signature of Applicant Date

 Case # _____
CERTIFICATE OF APPROPRIATENESS REVIEW

REQUIRED MATERIALS TO ACCOMPANY THE APPLICATION

The Community Development Director may waive informational requirements upon finding the information is not required to determine compliance with the Zoning Ordinance requirements.

1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attached a notarized statement signed by the owner authorizing the applicant to request the amendment.
2. Photographs of the building and existing conditions from all relevant sides;
3. A written statement describing the following:
 - a. The proposed change and the effect the proposed change may have on surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Code;
 - b. Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan;
 - c. The areas which are most likely to be directly affected by such change and the likely effects;
4. If installing signage or graphics on a building or on the site, or directly behind the window or on a window, a drawing of the signage;
5. Historic plans, elevations or photographs;
6. Name and address of adjacent property owners;
7. Filing fee of \$ _____.

NOTE: IF YOUR PROJECT GOES TO CITY COUNCIL, YOU WILL BE NOTIFIED BY MAIL IN ADVANCE OF THE HEARING DATE. IF YOU WOULD LIKE TO CHECK MEETING AGENDAS, PLEASE GO TO OUR WEBSITE WWW.VILLARICA.GOV

Return Form Information:
Villa Rica Historic Preservation Commission
City of Villa Rica
517 W. Bankhead Highway
Villa Rica, GA 30180
Phone: (678) 840-1238
Fax: (770) 459-7003

OFFICE USE: Total Amount Paid: _____ ☐ Cash ☐ Check ☐ Check Card Receipt #: _____
Application Checked by: _____ Date: _____ Map Number(s): _____
Planning Commission: ☐ Approved ☐ Denied Date: _____
Conditions: ☐ No ☐ Yes How Many: _____
City Council Decision: ☐ Approved ☐ Denied Date: _____
Conditions: ☐ No ☐ Yes How Many: _____
Planning Manager's Signature: _____
Date: _____

REVISED | 08/20/2020

REVISED | 08/20/2020

NONCONTRIBUTING PROPERTIES

What is a noncontributing property?

- Nonconforming properties are properties that are located within a historic district and are determined to have lost their architectural compatibility with surrounding properties within the district through adverse changes overtime.

What properties are considered noncontributing?

- 132 W. Montgomery Street
- 208 W. Montgomery Street
- 210 W. Montgomery Street
- 214 W. Montgomery Street
- 216 W. Montgomery Street
- 218-220 W. Montgomery Street
- 228 W. Montgomery Street

Why protect them?

- The properties still have a common history with the surrounding properties.
- Local historic district listing will prevent further adverse changes from happening, and will prevent the degradation of the contributing properties.
- Reviewed to the standards within the Design Guidelines, but does not rise to the same level of scrutiny as a contributing property.

FAQS/MYTHS DEBUNKED

- Does historic district designation reduce the value of my property?
 - No, quite the opposite! Historic district designation has consistently increased the value of property once designated across the country.
- Will inclusion in a local historic district restrict how I may use my property?
 - No. A local historic district is generally “overlaid” on the existing zoning classifications in a community. Therefore, a local district commission deals only with the appearance of the district, not with the uses of those properties.
- Will inclusion prevent me from making changes to my property?
 - Designation does not prevent owners from making changes to their properties, nor does it require them to restore or even fix-up their property (unless they are allowing it to deteriorate and collapse). Designation ensures that alterations, additions or demolitions are in keeping with special character of the area through design review and issuance of COAs.

FAQS/MYTHS DEBUNKED

- Are all buildings in local historic districts necessarily historic?
 - No. A major goal of local historic districts is maintaining the overall character of the area. Reviewing proposed changes to non-historic properties as well as historic properties insures that more recent construction will not become more intrusive and hopefully will become less so. If these properties are not included in the district, there is a greater chance that changes to these properties could have a negative impact on the area or on adjoining buildings.
- If I am unhappy with a decision made by the Commission concerning my Certificate of Appropriateness application, may I appeal?
 - Yes. Appeals may be made to the elected officials and then to the County Superior Court, who will both determine if the HPC abused its discretion – not following the standards in the ordinance or the design guidelines – in reaching their decision.

FAQS/MYTHS DEBUNKED

- What might happen to the value of my property if it is included in a local historic district?
 - Designation of an area as a historic district will not directly affect property values. Because local historic district properties are protected from insensitive development, owners may be more inclined to make improvements to their properties, and this may increase the value of all property in a given district.
 - National and statewide economic studies show that historic district designation first stabilizes property values, then slowly values begin to rise. In most cases, properties in local historic districts appreciate at rates greater than: (a) the local market as a whole, and (b) similar neighborhoods that are not designated.
- Do I have any say as to whether my property is included in a local historic district?
 - Before a local historic district is designated, all residents and owners of property in the proposed local district have the opportunity to express their views at public hearings with the Historic Preservation Commission and City Council. But remember that the HPC and Council are evaluating a property's designation based on objective criteria in the ordinance, not on personal preference. Elected officials are legally obligated to pass laws that treat similarly situated persons alike, and therefore treat similar historic properties uniformly.

FAQS/MYTHS DEBUNKED

- Are there other benefits to creating local historic districts?
 - Yes! A historic district that is aesthetically cohesive and well promoted can be a community's most important attraction. The retention of historic areas as a way to attract tourist dollars makes good economic sense. The protection of local historic districts can also enhance business recruitment potential. Companies continually re-locate to communities that offer their workers a higher quality of life, which is greatly enhanced by successful local preservation programs and stable historic districts.
- Is there an opt-in percentage for forming a local or national district?
 - There are no opt-in requirements for a local historic district. No matter if only one owner agrees to designation or all owners agree, the City Council, at the recommendation of the local HPC, has the authority to designate historic districts based on the content and criteria in the local historic preservation ordinance.
 - There is an opt-in requirement for a national historic district. At least 50% of property owners must agree to form a national district.

PUBLIC NOTIFICATION

- Legal ad placed in Times-Georgian
 - 4 total ads placed (3 of which were consecutive ads placed)
- Article placed in Star Newspaper
- Certified and regular mail letters sent to all property owners
- City's website calendar
- City's Facebook Page
- "Hitting the pavement"
- Three public meetings/hearings



QUESTIONS?

Public Meeting Schedule:

- HPC Workshop: April 20th, 2021 @ 6PM (Powell Park)
- HPC Meeting: April 27th, 2021 @ 6PM (Municipal Court)
- City Council Meeting: May 11th, 2021 @ 6PM (Municipal Court)

BOARD DOCUMENT NO. _____

ORDINANCE NO. _____

CITY OF VILLA RICA

HISTORIC DISTRICT DESIGNATION ORDINANCE

AN ORDINANCE TO DESIGNATE A LOCAL HISTORIC DISTRICT WITHIN THE CITY OF VILLA RICA TO PRESCRIBE THE BOUNDARIES OF SUCH HISTORIC DISTRICT, TO LIST EACH PROPERTY IN THE HISTORIC DISTRICT; TO REQUIRE A CERTIFICATE OF APPROPRIATENESS FROM THE CITY HISTORIC PRESERVATION COMMISSION PRIOR TO ANY MATERIAL CHANGE IN APPEARANCE WITHIN THE HISTORIC DISTRICT BE SHOWN ON THE OFFICIAL ZONING MAP OF THE CITY OF VILLA RICA AND FOR OTHER PURPOSES.

The Mayor and Council have established the City of Villa Rica Historic Preservation Commission in and for the city by its Ordinance of 6 May 2008.

NOW, THEREFORE, the Mayor and Council of the City of Villa Rica hereby ordain that:

Section I: In support and furtherance of its findings and determination that the historical, cultural and aesthetic heritage of the city is among its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity and general welfare of the people; and,

In accordance with the ordinance to establish a Historic Preservation Commission in the city; to provide for the designation of historic properties of historic districts; to provide for issuance of certificates of appropriateness; to provide for an appeals procedure; to repeal conflicting ordinances; and for other purposes (Villa Rica Code, Section 5.29—Historic Preservation);

The Mayor and Council hereby declares it to be the purpose and intent of this ordinance to designate a historic district in a geographically definable area containing buildings, structures, sites, objects, landscape features and works of art or a combination thereof which have special historic and aesthetic value or interest in representing one or more periods, styles or types of architecture typical of one or more eras in the history of the City of Villa Rica, Carroll County, Georgia;

The Downtown Villa Rica Historic District is significant in the area of architecture because the commercial and industrial buildings are representative of architectural styles and types built in Georgia cities from the end of the 19th century through the middle of the 20th century. The historic district is significant in the areas of commerce because it represents the city's importance as a regional center of commerce from the early 20th century to the middle of the 20th century. The district is significant in the area of cultural and architectural integrity because of its ornate one-story and two-story structures and center of civic life after the arrival of the Southern Railway.

The Downtown Villa Rica Historic District is also significant in the area of economy

because Downtown Villa Rica was the center of gold mining and cotton trade between 1900 and the 1930s.

Section II: There is hereby created and designated in and for the City of Villa Rica the City of Villa Rica Historic District with boundaries as follows:

The City of Villa Rica Historic District will encompass areas of the downtown and surrounding areas, including properties located along Main Street, Temple Street, W. Church Street, N. Carroll Road, N. Candler Street, W. Wilson Street, W. Montgomery Street, S. Carroll Road, North Avenue, S. Candler Street, Westview Drive, and Loft Lane.

District boundaries will necessarily follow a mixture of street right-of-ways and legal property boundaries, as denoted on the designation map as follows:

Commencing at a point located half block between E. Montgomery Street (US 78/W. Bankhead Highway/GA 8) and W. Wilson Street along South Carroll Road, and proceeds midway through the 100-block of E. Montgomery Street along a private alleyway. The boundary then proceeds south along the property boundary between 109 and 115 W. Wilson Street to reach W. Wilson Street. At this point, the boundary continues west to a point between 115 and 117 W. Wilson Street before continuing north back to the alleyway and then proceeds west along the center of the alleyway to S. Candler Street. The boundary then crosses midblock across S. Candler Street and continues parallel between E. Montgomery Street and W. Wilson Street to incorporate all buildings along E. Montgomery Street to Westview Drive. The boundary turns north on Westview Drive and crosses E. Montgomery Street to meet the Norfolk Southern Rail Line. At this point, the boundary proceeds west to another point perpendicular to North Avenue. The boundary then crosses the Norfolk Southern rail line and continues north on North Avenue to the centerline of W. Church Street before turning east and proceeding down the centerline to a point between 101 Main Street and 111 Main Street. The boundary turns south between these two buildings to Temple Street, then proceeds down the north side of Temple Street to North Carroll Road. At this point the boundary continues down the center line of North Carroll Road and crosses Main Street, the Norfolk Southern rail line and E. Montgomery Street to midblock between E. Montgomery Street and W. Wilson Street at the beginning of the private alley.

Section III: The attached lists of properties are located within the Downtown Villa Rica Historic District as created in Section I hereof and the owner thereof is set forth beside the name of each property:

325 Main Street, Villa Rica, GA 30180
Owner: City of Villa Rica
Owner Address: 571 W. Bankhead Hwy
Villa Rica, GA 30180

317 Main Street, Villa Rica, GA 30180
Owner: William P & Laura Edwards
Owner Address: 50 Timberlake Trl
Temple, GA 30179

315 Main Street, Villa Rica, GA 30180
Owner: Estate of William P & Laura Edwards
Owner Address: 50 Timberlake Trl
Temple, GA 30179

311 Main Street, Villa Rica, GA 30180
Owner: Thomas J & Patricia T Large Family
Owner Address: PO Box 605
Villa Rica, GA 30253

309 Main Street, Villa Rica, GA 30180
Owner: Villa Rica T V Service
c/o Billy White
Owner Address: 348 Harlan Lane Road
Villa Rica, GA 30180

305 Main Street, Villa Rica, GA 30180
Owner: Donald J Hudgins
Owner Address: Same

301 Main Street, Villa Rica, GA 30180
Owner: Villa Rica T V Service
c/o Billy White
Owner Address: 348 Harlan Lane Road
Villa Rica, GA 30180

W. Temple Street, Villa Rica, GA 30180 (V01 00200001)
Owner: Huntington Apartment Homes IV
LLC
Owner Address: PO Box 550616
Atlanta, GA 30355

209 Main Street, Villa Rica, GA 30180
Owner: Camp Cap Co.
Owner Address: PO Box 726
Villa Rica, GA 30180

141 Main Street, Villa Rica, GA 30180
Owner: Larmac, Inc.
Owner Address: 2030 Hwy 27 S
Carrollton, GA 30117

129 Main Street, Villa Rica, GA 30180
Owner: Larmac, Inc.
Owner Address: 2030 Hwy 27 S
Carrollton, GA 30117

113 Main Street, Villa Rica, GA 30180
Owner: Glez, LLC
Owner Address: Same

110 Main Street, Villa Rica, GA 30180
Owner: Masonic Lodge No.
72 F & A
Owner Address: Same

115 W. Wilson St, Villa Rica, GA 30180
Owner: Jerry Doyal
Owner Address: PO Box 126
Villa Rica, GA 30180

Parcel: V01 0030009
Owner: N/A (railroad)
Owner Address: N/A

101 W. Montgomery Street, Villa Rica, GA 30180
Owner: J R Smith Investments LLLP
Owner Address: 557 Leslie Drive
Villa Rica, GA 30180

104 W. Montgomery Street, Villa Rica, GA 30180
Owner: Thomas J & Patricia T Large Family
Owner Address: PO Box 605
Villa Rica, GA 30180

108 W. Montgomery Street, Villa Rica, GA 30180
Owner: Johnny L & Joe H Richardson
c/o Joe Richardson
Owner Address: 5105 Longridge Drive
Villa Rica, GA 30180

110 W. Montgomery Street, Villa Rica, GA 30180
Owner: Johnny L. & Joe Richardson
Owner Address: 5105 Longridge Road
Villa Rica, GA 30180

112 W. Montgomery Street, Villa Rica, GA 30180
Owner: William J Taylor as Trustee
of the Testamentary Trust of
Beuna C Taylor
Address: 327 Old Draketown Trail
Villa Rica, GA 30180

118 W. Montgomery Street, Villa Rica, GA 30180
Owner: Donald J Hudgins
Owner Address: 305 Main Street
Villa Rica, GA 30180

120 W. Montgomery Street, Villa Rica, GA 30180
Owner: Thomas J & Patricia T Large Family
Owner Address: PO Box 605
Villa Rica, GA 30180

122 W. Montgomery Street, Villa Rica, GA 30180
Owner: Thomas J & Patricia T Large Family
Owner Address: PO Box 605
Villa Rica, GA 30180

126 W. Montgomery Street, Villa Rica, GA 30180
Owner: Stegall Real Estate Holdings, LLC
Owner Address: 5715 Brookstone Drive
Acworth, GA 30101

130 W. Montgomery Street, Villa Rica, GA 30180
Owner: William L Berry LLC
Owner Address: 3737 Lake Vista
Douglasville, GA 30135

132 W. Montgomery Street, Villa Rica, GA 30180
Owner: Thomas J. & Patricia T.
Large Family Limited
Partnership
Owner Address: P.O. Box 605
Villa Rica, GA 30180

200 W. Montgomery Street, Villa Rica, GA 30180
Owner: Absolute Success Inc.
Owner Address: PO Box 1584
Fayetteville, GA 30214

208 W. Montgomery Street, Villa Rica, GA 30180
Owner: Timothy A. McCreary
Owner Address: PO Box 310
Villa Rica, GA 30180

210 W. Montgomery Street, Villa Rica, GA 30180
Owner: Holland Family LLC
Owner Address: 643 Old Tanyard Road
Villa Rica, GA 30180

214 W. Montgomery Street, Villa Rica, GA 30253
Owner: Thomas J. & Patricia T.
Large Family Limited
Partnership
Owner Address: P.O. Box 605
Villa Rica, GA 30180

216 W. Montgomery Street, Villa Rica, GA 30180
Owner: J R Smith Investments LLLP

Owner Address: 557 Leslie Drive
Villa Rica, GA 30180

218 W. Montgomery Street, Villa Rica, GA 30180
Owner: The Thomas J & Patricia T
Large Family LP
Owner Address: PO Box 605
Villa Rica, GA 30180

222 W. Montgomery Street, Villa Rica, GA 30180
Owner: Thomas J. & Patricia T.
Large Family Limited
Partnership
Owner Address: P.O. Box 605
Villa Rica, GA 30180

228 W. Montgomery Street, Villa Rica, GA 30180
Owner: Thomas J. & Patricia T.
Large Family Limited
Partnership
Owner Address: P.O. Box 605
Villa Rica, GA 30180

Section IV: Upon designation the Downtown Villa Rica Historic District shall be shown on the Official Zoning Map of the city and kept as a public record to provide notice of such designation.

Section V: Certificate of Appropriateness—Upon the effective date of this Ordinance no material change in the appearance of any structure, site, object, or work of art within the designated Downtown Villa Rica Historic District shall be made or be permitted to be made by the owner or occupant thereof, unless or until the application for a Certificate of Appropriateness has been submitted to and approved by the City of Villa Rica Historic Preservation Commission.

Section VI: This Ordinance shall become effective upon a first reading and publication, which shall be certified by the Clerk of the City of Villa Rica, Carroll County, Georgia.

Section VII: Property owners within the Downtown Villa Rica Historic District shall be notified by United States mail upon approval of said district by the Mayor and City Council of the City of Villa Rica.

Section VIII: Upon designation, City of Villa Rica officials and agencies shall be notified of the designation of the Downtown Villa Rica Historic District.

So ordained this day of _____, 2021.

Date of Implementation: _____ day of _____, 2021.

APPROVED:

CITY COUNCIL

BY: _____

Mayor, City of Villa Rica

**Downtown Villa Rica Historic District Boundary
Nomination Report
Recommendation to City Council
Villa Rica Historic Preservation Commission**

The Villa Rica Historic Preservation Commission recommends to the Villa Rica City Council as noted in the Villa Rica Historic Preservation Ordinance, Section 5.29D(4), that a historic district be designated within the city limits. The historic district referred to as the Downtown Villa Rica Historic District meets the historical, cultural, architectural, and aesthetic criteria as required under Section 5.29D(4).

Physical Description

The Villa Rica Downtown Historic District encompasses an area commencing at a point located half block between E. Montgomery Street (US 78/W. Bankhead Highway/GA 8) and W. Wilson Street along South Carroll Road, and proceeds midway through the 100-block of E. Montgomery Street along a private alleyway. The boundary then turns south along the property boundary between 109 and 115 W. Wilson Street to reach W. Wilson Street. At this point, the boundary continues west to a point between 115 and 117 W. Wilson Street before continuing north back to the alleyway and then proceeds west along the center of the alleyway to S. Candler Street. The boundary then crosses midblock across S. Candler Street and continues parallel between E. Montgomery Street and W. Wilson Street to incorporate all buildings along E. Montgomery Street to Westview Drive. The boundary turns north on Westview Drive and crosses E. Montgomery Street to meet the Norfolk Southern Rail Line. At this point, the boundary proceeds west to another point perpendicular to North Avenue. The boundary then crosses the Norfolk Southern rail line and continues north on North Avenue to the centerline of W. Church Street before turning east and proceeding down the centerline to a point between 101 Main Street and 111 Main Street. The boundary turns south between these two buildings to Temple Street, then proceeds down the north side of Temple Street to North Carroll Road. At this point the boundary continues down the center line of North Carroll Road and crosses Main Street, the Norfolk Southern rail line and E. Montgomery Street to midblock between E. Montgomery Street and W. Wilson Street at the beginning of the private alley.

Cultural and Architectural Significance

Villa Rica is located in the west Georgia counties of Carroll, which borders Alabama to the west, and a section of Douglas County. Villa Rica is a cross-rail community that was laid out in a gridiron plan in response to the railroad that runs east to west through the center of town. The North Villa Rica Commercial Historic District comprises the northern half of the downtown and was established in 2002. The proposed unified Downtown Villa Rica Historic District would succeed the North Villa Rica Commercial Historic District and include the area south of the railroad comprising the southern half of the downtown. Two properties located at 101 Main Street (the Villa Rica Police Department and Municipal Court) and 106 Temple Street (the Villa Rica Main Street offices and Amphitheater), which are currently included in the North Villa Rica Commercial Historic District, are proposed to be removed because of architectural changes overtime that are not consistent with the downtown's period of significance.

The proposed unified historic district includes the two blocks of mostly one-story brick commercial buildings between South Carroll Road and Westview Drive, and four blocks of mostly one-story brick commercial buildings between North Carroll Road and North Avenue. Most of the buildings in the district were built between 1900 and 1929, not including subsequent reconstructions of four buildings because of the Villa Rica Explosion in 1957. The historic district includes segments of West Bankhead Highway (West Montgomery Street), South Candler Street, South Carroll Road, West Wilson Street, North Candler Street, North Carroll Road, North Avenue, W. Church Street, Main Street, Temple Street and Loft Lane. Georgia State Highway 78/61 runs coterminous with West Bankhead Highway/West Montgomery Street, separates at the intersection with South Carroll Road, and Highway 61 continues parallel to West Bankhead Highway on the north side of the rail line on Main Street.

Villa Rica was laid out in 1883. An advertisement promoted "94 beautiful lots at auction" in Villa Rica, the "village of gold." The town plan depicted in the ad comprised eleven blocks, six on the north side of the rail line and five fronting the south side of the rail line. Additional blocks were laid out north and south of these forming a gridiron plan with the railroad line trending east to west through the center of the commercial district. This cross-rail plan is common in Georgia communities that were established along rail lines in the last decades of the 19th century. The public square is a large open space created by the half-depth block on Temple Street between Loft Lane and North Carroll Road. Now used for parking, the square is defined on three sides by the fronts of attached commercial buildings and the rail line to the south. The railroad depot, which was built in the 1880s, was located between the public

square on the north side of the rail line and the rail line itself. The depot, which accommodated passengers, freight, and livestock, was demolished after 1950. The first city hall building was constructed in the late 1800s and existed at 226 Montgomery Street until the early 1930s, and was moved across the tracks to the north side of the downtown on Temple Street.

By 1905, Villa Rica included twenty businesses, seven churches, a bank, a hotel, a newspaper, and a school with a faculty of five. Villa Rica's prosperity shifted from gold to agriculture, especially cotton, when gold mining ended in 1926. The west Georgia Piedmont produced excellent staple upland cotton that was known for its superior staple and sheen. In an average season, 10,000 bales of cotton were purchased in Villa Rica. The buying and selling of cotton were a mainstay of Villa Rica's economy and in the first decade of the 20th century the town supported three cotton gins, three hosiery mills, three cotton warehouses, and a cotton oil mill. In the 1940s, the boll weevil and armyworms devastated the regions cotton crops.

Many buildings in the district feature a center entrance flanked by display windows and some decorative brickwork along the parapet. Many of the commercial buildings are plain but some are highly ornate, such as 130 West Montgomery Street, which includes a raised corbel and raised window hoods, along with a stucco cornice and pinnacle, 10 large multi-paneled decorative second floor windows below 10 four-paneled transom windows. 141 Temple Street features arched windows and transom with raised keystones and a brick paneled parapet. The buildings at 120, 122, 222 and 224 West Montgomery Street all feature dog-tooth brickwork above paneled entablature. The buildings at 110, 214 and 216 West Montgomery Street are the only buildings in the district that have Spanish tile roof designs. 130, 200 and 216 West Montgomery Street, 315 Main Street and 111 Main Street are the only two-story buildings in the district. 100 West Montgomery Street is unique as the only building in the district featuring three segmentally arched brick openings for two storefront windows and one doorway in the center facing West Montgomery Street and also features three window openings along South Carroll Road with brick segmentally arched window hoods, three recessed panels and a gradual projection of the brickwork on the corbel facing West Montgomery Street. The buildings at 141 and 121 Main Street both feature mouse-tooth brickwork above paneled entablature. The Masonic Lodge, built in 1914 at 111 Main Street, is a two-story commercial masonry building covered with stucco. One of its two street-level entrances and its four sash windows above are set within segmental arches.

At 115 Wilson Street, ET Doyal & Sons, an animal feed business that has been in operation since 1902, and in Downtown Villa Rica since 1925 is located in what was previously a planing mill/grist mill

according to Sanborn Maps. ET Doyal & Sons operated at 100 West Montgomery Street between 1925 and the 1950s before moving to the current location on West Wilson Street. The business has been a staple in the Villa Rica and New Georgia areas since its founding and has contributed significantly to the city's agriculture community. This is the only building in the proposed district that does not face West Montgomery Street.

Most buildings in the historic district were built between 1900 and 1929 and retain a high level of historic integrity. Between 1923 and 1933, the buildings on both blocks of the district had been streamlined and attached, and some that had once been single retail had become double retail stores. Some buildings, however, have been altered so that they no longer convey their historic significance. The Villa Rica City Hall and Police Department, located at 101 Main Street at the corner of Velvin Lane, was dramatically altered. The one-story brick building was built in the Colonial Revival style in the 1950s. Later, the main facade and the overall form of the building was obscured by the addition of a full-width front porch, which has since been removed in favor of an ADA ramp and stoop. It is proposed for this building to be removed from the newly proposed district. The building on the west end of the 200 block of Temple Street is part of the Camp Cap Company and was rebuilt in 1966. Because of the age of the renovation and shared history of the building with the development of the rest of the downtown area, this building can now be considered contributing. The block of buildings on Main Street on the west side of the square have had awnings, shed roofed porches and, in one case, a second story added. These changes, however, do not obscure the intact historic commercial storefronts and the buildings are counted as contributing to the historic district.

The block bounded by West Montgomery Street, West Wilson Street, South Candler Street and South Carroll Road is a series of 18 buildings (12 of which are to be included in the district). Based on the 1923 Sanborn map, this section of the district consisted of a planing mill/grist mill, several retail stores, an abandoned motion picture house, two restaurants, and two barbershops. Star Department Store, which was located at 100 West Montgomery Street and was started by David Beber, who owned another department store with the same name in Carteret, NJ, operated from the 1950s until the 1960s. Several buildings were constructed by Irby Albert Marchman Sr. (1871-1957), a local farmer and merchant, and part of the locally significant Marchman family, between 1895 and 1915. The Powell Marchman Building at 130 West Montgomery Street was built by Dr. Henry Ryan Marchman's brother Irby in 1895 and housed Powell-Marchman Drug Company and Dr. Marchman's offices. While the 100-block of West Montgomery Street retains most of its pre-1960s aesthetic, the 200-block of West Montgomery Street

has seen some historic integrity degradation in more recent years. 208 West Montgomery, the site of the Bank of Villa Rica's headquarters, has been altered into a 1970s contemporary style and has no features of the original front façade remain. Several other buildings in this block also have been altered from their original appearance, including 210, 214, 216, 218, 220 and 228 West Montgomery Street. Many buildings now feature stucco or stone fronts and new storefront windows.

The block bounded by West Montgomery Street, South Candler Street, West Wilson Street, and Westview Drive is a series of 15 buildings (10 of which are to be included in the district, all fronting West Montgomery Street). This block has various important businesses and structures to the city, including the old movie theater at 200 West Montgomery Street; the first and second City Hall at 210 West Montgomery Street and 216 West Montgomery Street, respectively; and the former headquarters of the Bank of Villa Rica at 208 West Montgomery Street, the oldest financial institution in Carroll County and one of the oldest in the State of Georgia, which existed from 1899 to 1996. The bank was chartered with \$15,000 of capital when it opened in 1899, and was one of the few banks to survive the Great Depression. The bank building served as the main headquarters from 1899 to 1974 before moving to a new building outside downtown further down West Bankhead Highway.

The movie house at 200 West Montgomery Street was originally part of a parcel known as J.M. Hamricks Lot (who owned the entire block before being subdivided in the early 1900s) prior to 1897 and used as a cotton house and general merchandise store. Prior to 1897, the lot was home to Villa Rica Corp's Warehouse before it along with the entire block was destroyed by fire, which prompted the subdivision. It was bought by W. B. Candler for Candler & Sons General Merchandise. The building was then bought by T. P. Matthews 1939 and later renovated to a brick block building and used as a cinema house. The building was used in this capacity until 1967 before being closed in favor of a modern movie theater built in a strip plaza further down W. Bankhead Highway outside of Downtown. The cinema was used by both African American and White audiences and African Americans sat in the balcony section. The city's first city hall, which was a small building that was set back from Montgomery Street, was used relatively briefly until a new city hall was built in the same block at 216 West Montgomery Street, which was in use in the 1920s before moving again to Temple Street on the north side of the railroad tracks by 1933. The second City Hall was being used as a restaurant by 1933 according to Sanborn maps. Prior to the construction and rerouting of West Bankhead Highway through this block, the block also featured the Velvin Hotel, which by 1933 had become a rooming house. By 1944, the hotel building had been either totally remodeled or rebuilt as a duplex. The hotel, owned by John J. Velvin and his wife, is the only

hotel that has ever graced downtown and was used by gold miners and travelers along the railroad, with up to 50 traveling men stopping at the “Velvin House” during the week by November of 1886, according to an article from The Carroll Free Press. For perspective, the town had 700 residents in the “new” town and 300 residents still in the “old town” (Hixtown). Other businesses on this block included multiple general and retail stores, an auto repair store, a gasoline service station and auto sales.

COTTON WAREHOUSES:

The historic district also includes six buildings that served as commercial cotton warehouses.

Because of the historic district's close proximity to the depot and the demand for short-term storage of cotton, a significant number and variety of commercial cotton warehouses were built in the first decades of the 20th century. The smallest warehouses appear like typical one-story brick commercial buildings. These include the two easternmost buildings in the 200 block of Temple Street. The Masonic Lodge served the needs of the Masonic order on the second floor and utilized the first floor as a cotton warehouse to take advantage of the lucrative storage business.

The largest warehouses in the district are the warehouse along North Carroll Road, the warehouse on Temple Street between the Masonic Lodge and Municipal Court, and the Pope Brothers Warehouse at 301-319 Temple Street. These warehouses are built of brick with timber posts supporting the wood frame roof. Historically, these buildings included few openings, except for the large arched openings that allowed wagons and small trucks to enter and load or unload cotton. The Pope Brothers Warehouse, built in c.1912 and then nearly doubled in size with an addition in 1949, was rehabilitated as loft apartments.

The Golden City Hosiery Mill, constructed in 1929 at 135 Temple Street, is among several industrial buildings that were constructed in the historic district. The mill includes a one-story brick building on Temple Street. The Temple street building was lit by large factory windows and electric lights powered by a separate boiler building (no longer extant) located at the rear of the lot. A second Golden City Hosiery Mill is located on Main Street at the east end of the district. The Main Street building is built of brick with large factory windows (since enclosed) and stepped parapets on the gable ends.

The Camp Cap Company began making hats in a commercial building in the 200 block of Temple Street in the 1930s. The company adapted the small commercial building to serve as a manufacturing facility

and eventually expanded into the four commercial buildings that occupy the entire block. The exterior of the buildings appear as four individual commercial buildings while the interiors have been joined together to serve the growing company, which continues to make caps on the site.

MOVIE THEATERS:

Villa Rica had two movie houses in its history, located at 100 West Montgomery Street and 200 West Montgomery Street. According to Sanborn Maps, the theater at 100 West Montgomery Street closed prior to 1923, and the theater at 200 West Montgomery Street, called The Villa Rica Theater was in operation until 1967. The Villa Rica Theater was constructed in 1941 by T. P. Matthews and features a unique design that is of a rare Art Deco design for West Georgia. This is Villa Rica's only Art Deco building and one of three two-story buildings in the district. The design features a brick block building with two storefronts below, two stucco front facades (facing West Montgomery Street and South Candler Street), eight 2nd floor windows facing West Montgomery Street with large 16-paneled casement windows with 4-paneled transom windows above each, and horizontal line details on the 2nd floor front façade that is characteristic of the Streamline Moderne subcategory of the International style of Art Deco. The original marquee has been removed in favor of a metal cantilevered "train shed" style awning with exposed arms.

POWELL-MARCHMAN BUILDING/BERRY'S PHARMACY:

Irby Albert Marchman Sr. (1871-1957), a local farmer and merchant, and part of the locally significant Marchman family, built multiple buildings in the 100-block of West Montgomery Street between 1895 and 1915, with the Powell-Marchman Building at 130 W. Montgomery Street being the most notable. Dr. Henry Ryan Marchman, the first doctor in Villa Rica, had his offices on the 2nd floor while Powell-Marchman Drug Company occupied the first floor. The building has a highly ornate design featuring a raised corbel and raised window hoods, along with a stucco cornice and pinnacle, 10 large multi-paneled decorative second floor windows below 10 four-paneled transom windows. The original building was destroyed in the Villa Rica Explosion in 1957, and a single-story building was constructed in its place with no architectural relation to the original. In 2006, the site was renovated extensively to return to the original building's architecture and look. The building is now nearly identical to the original building.

E.T. DOYAL & SONS:

E.T. Doyal & Sons is a family-owned animal feed business that has been in operation at 115 West Wilson Street since 1925 (after moving from 100 West Montgomery Street where they were located since 1902). 115 West Wilson was previously used as a local planing mill/grist mill according to Sanborn Maps. The business has been a staple in the Villa Rica and New Georgia areas since its founding and has contributed significantly to the city's agriculture community. The building is a raised one-story brick block building with a flat roof, recessed sign boards with decorative dentil brickwork below along on the front face of the building below the sign board, and a layered brick cornice. The building features a brick porch and steps.

VR EXPLOSION:

Villa Rica suffered from a catastrophic explosion in 1957 that was centered on the 100 block of West Montgomery Street that killed 4 people and destroyed four buildings on the block. The explosion initiated from a gas line igniting in the basement of the ornate Berry's Pharmacy building, and resulted in the total loss of 122 West Montgomery Street, 126 West Montgomery Street, 130 West Montgomery Street and 132 West Montgomery Street. The explosion was the largest catastrophe in Carroll County history and was devastating to the city. Between 1957 and 1959, the four buildings were rebuilt. In 2006, the Berry's Pharmacy building was completely renovated to mirror the original building destroyed in the explosion, which the original building and the current building are almost identical. The other three buildings have been altered extensively from their previous aesthetics and feature vinyl siding accents (132 W. Montgomery Street) and stucco (126-128 W. Montgomery Street). The majority of the block is consistent of retail and restaurant uses today.

SETTING:

The historic district includes very little landscaping because the buildings were built to the sidewalk and occupy most of their lots. Lots within the district feature either a building or a paved surface, such as an asphalted alleyway in the rear. Several small street trees planted along West Montgomery Street and in the plaza between Main Street and Temple Street are the only trees located in the historic district. Various plaques have been installed by the city in the past few decades commemorating the Villa Rica Explosion and the Bank of Villa Rica.

05/07/2021

Ron Johnson
Planning & Zoning Specialist
571 W. Bankhead Highway
Villa Rica, GA, 30180

RE: Local District Designation Report

Dear Mr. Johnson:

Thank you for the opportunity to review the Local District Designation Report for the Villa Rica Downtown Historic District. The Historic Preservation Division has been given this opportunity to review the Local District Designation Report in accordance with Georgia's Certified Local Government Application and Procedures and at the request of the local government.

The Historic Preservation Division has found that the local district designation report is well documented and assembled with maps, representative photographs, physical and historic descriptions, and descriptions of property renovations.

We support the designation of the Villa Rica Downtown Historic District. HPD recommends the consideration of both North and South Carroll Street as the western boundary of the district, thereby including the Villa Rica City Hall and Police Department at 101 Main Street as a non-contributing resource. Although the Villa Rica City Hall and Police Department has been altered since its original construction, the resource is historically significant to downtown Villa Rica as described in the justification letter for the district.

We support your community's commitment to preservation planning and appreciate the opportunity to collaborate. We will keep the submittal and determination on file for public record. If you, the HPC, or any community members have questions or concerns, please do not hesitate to contact me directly by email at paige.jennings@dca.ga.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Paige Jennings".

Paige Jennings
Certified Local Government Coordinator

I am Woody Holland. My wife and I own the building at 210 W Montgomery St. This building was remodeled by the Bank of Villa Rica in the late 70's or early 80's for use as their computer department. It looks nothing like old historical Villa Rica. This building has been excluded from certain requirements imposed by your historic commission. But we would still have to come to the city and ask permission to do anything to the outside of the building.

One of my tenants wished to put a new sign up on the front of the building. She was informed by the city that the Historic commission had to approve her sign. After about 3 months and me as owner having to sign 2 documents she was allowed to proceed with the sign. The problem was her choice of colors on the sign. In fact the colors were the same as had been up for years. Ron Johnson from the City told the first public hearing that colors were not controlled by the historic commission. In my case that was not true. Mr Johnson assures me this will not happen again. But it shows how misguided a commission can get.

If the historic commission wants to control the outside appearance of my building then I am opposed to this action. My property rights would be infringed upon by the City of Villa Rica.

Woody Holland
5-10-21

Deborah W. Holland
May 10, 2021

COPY

Mayor Gil McDougal

Council Members of the City of Villa Rica, GA

Brings to the attention of the Mayor and Council of the City of Villa Rica, GA the following:

[illegible]

✓

[illegible]



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2021 Alcohol License Agreements with The Olive Tree @The MILL Amphitheater

AGENDA DATE: 5/11/2021

DATE PREPARED: 4/27/2021

PREPARED BY: Janet Chumley

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: None

BUDGETED ITEM? NA

PURPOSE: License agreement with the Olive Tree and the City of Villa Rica to provide the sale of beer and wine at the Villa Rica Main Street summer concert series for 2021 at The MILL Amphitheater.

The four events listed below are what we are asking approval for to serve beer and wine at The MILL Amphitheater:

1. Summer Concert #1 Saturday, June 12, 2021
2. Summer Concert #2 Saturday, July 24, 2021
3. Summer Concert # 3 Saturday, August 7, 2021
4. Gold Rush Summer Concert #4 Friday, September 10, 2021

BACKGROUND: Villa Rica Main Street has been in partnership with The Olive Tree since 2016 in providing beer and wine for all alcohol approved events at The MILL Amphitheater. The agreements continue as a 50/50 split between Villa Rica Main Street and The Olive Tree. There were no issues or concerns in the past with any of our alcohol related events. During our March monthly Main Street Advisory Board meeting, the board voted to once again partner with The Olive Tree. They are a great community partner.

STAFF RECOMMENDATION: Staff recommends using The Olive Tree be used for the purpose of providing beer and wine sales at the June 12, July 24, August 7 and September 10 Summer Concerts at The MILL Amphitheater.

IMPACT: The ability to serve beer and wine at The MILL Amphitheater enhances the experience of our concerts as the community has always requested us to serve alcohol during the concerts.

MOTION: I make a motion that we approve the license agreements with The Olive Tree to provide the sale of beer and wine at the June 12, July 24, August 7 and September 10 Summer Concert series at The MILL Amphitheater for 2021.

License Agreement

This License Agreement ("Agreement") made this 26th day of April 2021 by and between the Olive Tree Villa Rica, LLC (the "Caterer") and the City of Villa Rica Georgia (the "City").

WHEREAS, the City is sponsoring a Summer Concert ("Summer Concert") to be held at The Mill Amphitheater in Historic Downtown Villa Rica on Saturday June 12, 2021: and

WHEREAS, at the time of this Agreement, Caterer is one of two entities holding a caterer's license under the City of Villa Rica Beverage Code; and

WHEREAS, the City desires to license the services of the Caterer to provide exclusive alcoholic beverage service during the Summer Concert; and

WHEREAS, the parties do desire to formalize the terms under which the Caterer will provide said services;

1. The City contracts to license Caterer to provide the sale of beer and wine at the Summer Concert to be held on Saturday June 12, 2021 at The Mill Amphitheater in Downtown Villa Rica, GA.

2. Caterer agrees to provide said services during the course of the Summer Concert during a time period to be agreed upon between Caterer and The Villa Rica Main Street Director.

3. Caterer shall have the exclusive right to sell beer and wine within the confines of the event. The City shall establish the confines of the event by the placement of fence around all areas where alcoholic beverages may be purchased, possessed, and consumed.

4. Caterer agrees they shall possess a current catering alcoholic beverage license authorized by the City.

5. Caterer shall provide a certificate of insurance to the City upon request which will reflect that they possess sufficient insurance coverage for the provision of its services during the event.

6. In consideration of the services to be provided by the Caterer, the Caterer shall be entitled to receive an amount equal to fifty percent (50%) of the net proceeds of all gross sales exclusive of its cost and expenses for provision of the catering services. The costs and expenses of the catering services shall include labor expenses, cost of goods sold, and any applicable federal, state, and local taxes. The City shall receive an amount equal to fifty percent (50%) of net proceeds as consideration for licensing caterer as the exclusive provider of services for the event.

7. Caterer shall cooperate with the City in the accounting for all costs and expenses as well as the net proceeds received from the event.

8. Caterer will be responsible for the provision of any necessary set-up and clean-up for the serviced to be provided

9. This License Agreement is conditioned upon the approval of the Summer Concert by the Mayor and Council of Villa Rica. It is further conditioned upon the approval of the Mayor and Council to authorize the sale, possession, or consumption of alcoholic beverages upon the premises of the Mill Amphitheater.

10. It is specifically agreed that the Mayor and Council, the City Manager, or the Police Chief of the City or their designee retain the right to terminate the sale, possession, or consumption of alcoholic beverages at the Festival or upon City property for any reason at any time.

IT IS SO AGREED on this the 26th day of April 2021.

CITY OF VILLA RICA

By: _____
Gil McDougal, Mayor

OLIVE TREE VILLA RICA, LLC

By: Teresa Atsalis
Teresa Atsalis

License Agreement

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WHEREAS, the City is sponsoring a Summer Concert ("Summer Concert") to be held at The Mill Amphitheater in Historic Downtown Villa Rica on Saturday July 24, 2021: and

WHEREAS, at the time of this Agreement, Caterer is one of two entities holding a caterer's license under the City of Villa Rica Beverage Code; and

WHEREAS, the City desires to license the services of the Caterer to provide exclusive alcoholic beverage service during the Summer Concert; and

WHEREAS, the parties do desire to formalize the terms under which the Caterer will provide said services;

1. The City contracts to license Caterer to provide the sale of beer and wine at the Summer Concert to be held on Saturday July 24, 2021 at The Mill Amphitheater in Downtown Villa Rica, GA.

2. Caterer agrees to provide said services during the course of the Summer Concert during a time period to be agreed upon between Caterer and The Villa Rica Main Street Director.

3. Caterer shall have the exclusive right to sell beer and wine within the confines of the event. The City shall establish the confines of the event by the placement of fence around all areas where alcoholic beverages may be purchased, possessed, and consumed.

4. Caterer agrees they shall possess a current catering alcoholic beverage license authorized by the City.

5. Caterer shall provide a certificate of insurance to the City upon request which will reflect that they possess sufficient insurance coverage for the provision of its services during the event.

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10. It is specifically agreed that the Mayor and Council, the City Manager, or the Police Chief of the City or their designee retain the right to terminate the sale, possession, or consumption of alcoholic beverages at the Festival or upon City property for any reason at any time.

IT IS SO AGREED on this the 26th day of April 2021.

CITY OF VILLA RICA

By: _____
Gil McDougal, Mayor

OLIVE TREE VILLA RICA, LLC

By: Teresa Atsalis
Teresa Atsalis

License Agreement

This License Agreement ("Agreement") made this 26th day of April 2021 by and between the Olive Tree Villa Rica, LLC (the "Caterer") and the City of Villa Rica Georgia (the "City").

WHEREAS, the City is sponsoring a Summer Concert ("Summer Concert") to be held at The Mill Amphitheater in Historic Downtown Villa Rica on Saturday August 7, 2021: and

WHEREAS, at the time of this Agreement, Caterer is one of two entities holding a caterer's license under the City of Villa Rica Beverage Code; and

WHEREAS, the City desires to license the services of the Caterer to provide exclusive alcoholic beverage service during the Summer Concert; and

WHEREAS, the parties do desire to formalize the terms under which the Caterer will provide said services;

1. The City contracts to license Caterer to provide the sale of beer and wine at the Summer Concert to be held on Saturday August 7, 2021 at The Mill Amphitheater in Downtown Villa Rica, GA.

2. Caterer agrees to provide said services during the course of the Summer Concert during a time period to be agreed upon between Caterer and The Villa Rica Main Street Director.

3. Caterer shall have the exclusive right to sell beer and wine within the confines of the event. The City shall establish the confines of the event by the placement of fence around all areas where alcoholic beverages may be purchased, possessed, and consumed.

4. Caterer agrees they shall possess a current catering alcoholic beverage license authorized by the City.

5. Caterer shall provide a certificate of insurance to the City upon request which will reflect that they possess sufficient insurance coverage for the provision of its services during the event.

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9. This License Agreement is conditioned upon the approval of the Summer Concert by the Mayor and Council of Villa Rica. It is further conditioned upon the approval of the Mayor and Council to authorize the sale, possession, or consumption of alcoholic beverages upon the premises of the Mill Amphitheater.

10. It is specifically agreed that the Mayor and Council, the City Manager, or the Police Chief of the City or their designee retain the right to terminate the sale, possession, or consumption of alcoholic beverages at the Festival or upon City property for any reason at any time.

IT IS SO AGREED on this the 26th day of April 2021.

CITY OF VILLA RICA

By: _____
Gil McDougal, Mayor

OLIVE TREE VILLA RICA, LLC

By: Teresa Atsalis
Teresa Atsalis

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WHEREAS, the City is sponsoring a Summer Concert ("Summer Concert") to be held at The Mill Amphitheater in Historic Downtown Villa Rica on Friday September 10, 2021: and

WHEREAS, at the time of this Agreement, Caterer is one of two entities holding a caterer's license under the City of Villa Rica Beverage Code; and

WHEREAS, the City desires to license the services of the Caterer to provide exclusive alcoholic beverage service during the Summer Concert; and

WHEREAS, the parties do desire to formalize the terms under which the Caterer will provide said services;

1. The City contracts to license Caterer to provide the sale of beer and wine at the Summer Concert to be held on Friday September 10, 2021 at The Mill Amphitheater in Downtown Villa Rica, GA.
2. Caterer agrees to provide said services during the course of the Summer Concert during a time period to be agreed upon between Caterer and The Villa Rica Main Street Director.
3. Caterer shall have the exclusive right to sell beer and wine within the confines of the event. The City shall establish the confines of the event by the placement of fence around all areas where alcoholic beverages may be purchased, possessed, and consumed.
4. Caterer agrees they shall possess a current catering alcoholic beverage license authorized by the City.
5. Caterer shall provide a certificate of insurance to the City upon request which will reflect that they possess sufficient insurance coverage for the provision of its services during the event.
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10. It is specifically agreed that the Mayor and Council, the City Manager, or the Police Chief of the City or their designee retain the right to terminate the sale, possession, or consumption of alcoholic beverages at the Festival or upon City property for any reason at any time.

IT IS SO AGREED on this the 26th day of April 2021.

CITY OF VILLA RICA

By: _____
Gil McDougal, Mayor

OLIVE TREE VILLA RICA, LLC

By: Teresa Atsalis
Teresa Atsalis



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Resolution of Support for Changes to State Highway System and Acceptance of Two Roadways

AGENDA DATE: March 09, 2021

DATE PREPARED: February 25, 2021

PREPARED BY: Tom Barber

AMOUNT: n/a

GL ACCOUNT #: n/a

FUNDING SOURCE: n/a

BUDGETED ITEM? n/a

PURPOSE: To approve a resolution authorizing the Mayor and City Clerk to execute two GDOT resolutions.

BACKGROUND: The Georgia Department of Transportation is planning to modify the State Highway System following the construction of the north bypass. The new roadway will be labeled Highway 61, and the temporary designation of roadway through our downtown as Highway 61 will be removed. In addition, GDOT is requiring us to accept title, maintenance, utility accommodation, and ownership of the property for both the roadway to be removed from the State Highway System and the roadway to be constructed as the north bypass.

STAFF RECOMMENDATION: Staff recommends that City Council authorize the Mayor and City Clerk to executed the two attached GDOT resolutions.

IMPACT: Highway 61 will no longer be routed through our downtown. At the same time, the City will assume maintenance not only for the roadway in front of our Municipal Courtroom out to Punkintown Road in front of the hospital, but will also be responsible for maintenance of the north bypass.

MOTION: I move to approve the resolution of support for the changes to the State Highway System, detailed in attached document 3131C, and further move to accept title, maintenance, utility accommodation, and ownership of both roadways upon completion of construction.



CITY OF VILLA RICA
FINANCIAL UPDATE
March 2021

CASH			SELF-FUNDED INSURANCE		
	03-31-2020	03-31-2021		BANK BALANCE	\$ 889,542
Total Cash & CD	\$ 19,268,835	\$ 21,901,662			
General Fund	\$ 8,386,746	\$ 10,212,587			
Water/Sewer Fund	\$ 2,941,877	\$ 3,523,939			
Sanitation/Solid Waste	\$ (4,770)	\$ 80,233			
2008 Carroll SPLOST	\$ 252,949	\$ -			
2015 Carroll SPLOST	\$ 1,773,771	\$ 2,156,206			
2016 Douglas SPLOST	\$ 1,612,132	\$ 2,173,953			
			Contributions	Expenses	Savings
			Employer + Employee	Admin + Claims Paid	Difference
			Oct-Dec '20 337,161	Oct-Dec '20 326,863	10,298
			Jan '21 138,047	Jan '21 112,996	25,051
			Feb '21 138,525	Feb '21 135,602	2,923
			Mar '21 139,101	Mar '21 144,646	(5,545)
			TOTALS \$ 752,834	\$ 720,107	\$ 32,727
SPLOST			GROWTH	March 2020	March 2021
	March 2020	March 2021	<i>Residential</i>	# YTD Amount	# YTD Amount
	<i>One Month</i>	<i>One Month</i>	Building Permits	116 \$ 283,948	58 \$ 214,912
Carroll SPLOST	\$ 114,030	\$ 135,354	Water Taps	125 \$ 187,500	34 \$ 51,000
		19%	Sewer Taps	132 \$ 528,000	65 \$ 260,000
Douglas SPLOST	\$ 85,572	\$ 97,496			
		14%			
BUSINESS ACTIVITY - YEAR TO DATE			OTHER HIGHLIGHTS	March 2020	March 2021
WATER/SEWER	March 2020	March 2021		One Month	One Month
Water Revenue	\$ 1,600,160	\$ 1,717,785	Carroll Co Sales Tax	\$ 121,132	\$ 131,401
Sewer Revenue	2,111,919	2,199,437	Douglas Co Sales Tax	\$ 102,078	\$ 113,654
Misc. Revenue	832,721	768,552			
Total Revenue	\$ 4,544,800	\$ 4,685,774			
Utility Administrator	\$ 223,295	\$ 303,720			
Water Expenses	675,297	701,342			
Sewer Expenses	763,148	812,175			
Dist./Coll. Expenses	516,905	570,349			
Debt Expense	1,083,325	1,131,806			
Depreciation	780,500	811,720			
Total Expenses	\$ 4,042,470	\$ 4,331,112			
Net Income (Loss)	\$ 502,330	\$ 354,662			
			SANITATION/ SOLID WASTE	March 2020	March 2021
			Sanitation Revenue	\$ 436,551	\$ 449,188
			Solid Waste Revenue	196,859	205,080
			Misc. Revenue	-	-
			Total Revenue	\$ 633,410	\$ 654,269
			Sanitation Expenses	\$ 419,527	\$ 451,074
			Solid Waste Expenses	186,485	155,124
			Depreciation	22,500	35,561
			Total Expenses	\$ 628,512	\$ 641,759
			Net Income (Loss)	\$ 4,898	\$ 12,510