

CITY COUNCIL
GIL MCDOUGAL, MAYOR
MICHAEL YOUNG, MAYOR PRO-TEM
DANNY CARTER
SHIRLEY MARCHMAN
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

MAYOR & COUNCIL WORK SESSION AGENDA

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street

August 10, 2021 | 3:00 PM

Review of the Agenda (Mayor Gil McDougal)

A. Governing Body (Mayor Gil McDougal)

1. PTVs/Road Approved Golf Carts on 35mph Roads Discussion (Councilwoman Leslie McPherson)

B. Community Development (Bobby Elliott, Director)

1. Update on Villa Rica Livable Centers Initiative (LCI) study from Donald Zellefrow with MKSK (Chris Montesinos, Deputy Director Community Development)
2. RA-05-21: Alteration to the Mirror Lake Planned Unit Development (PUD) and Public Hearing (Bobby Elliott, Director)
3. ABL-07-21 - Application by Izhaan LLC dba Junior Food Store to Sell Packaged Beer and Wine at 516 Dallas Highway, Villa Rica, GA 30180 (Bobby Elliott, Director)
4. Traffic Loop Repairs on Mirror Lake Blvd and Shoreline Pkwy (Bobby Elliott, Director)
5. RA-01-21 and VA-03-21 - Parcel # V02 00700212 - Hwy 61 and 101 (Industrial Blvd) at Leggett Drive - Rockhaven Homes, LLC of Brookhaven, GA has Requested Four Variances and Public Hearing (Ron Johnson, Planning & Zoning Specialist)
6. Stockmar Road Drainage at 2004 Hubbard Court Bid Recommendation for Construction (Bobby Elliott, Director)
7. Request for Temporary signage for 2021 Frontier's Rodeo (Bobby Elliott, Director)
8. Amendment to Section 7.02(17) - Parking of Commercial Vehicles Contained in City of Villa Rica Zoning Code and Public Hearing (Ronald Johnson, Planning & Zoning Specialist)
9. Amendment to Table 4.3 - Permitted Uses Table Contained in City of Villa Rica Zoning Code and Public Hearing (Ronald Johnson, Planning & Zoning Specialist)

C. Parks, Recreation & Leisure Services (Tracie Ivey, Director)

1. Library After-Hours Meeting Room Use and Fee Schedule (Evette Bridges, Library Manager)

D. Public Works (Bobby Elliott, Director)

1. Bath Renovations at Gold Dust Park (Nic Griffin, Maintenance Manager)
2. Bathroom Renovations at V-Plex (Nic Griffin, Maintenance Manager)
3. Avanti Building and Welcome Center Exterior Painting (Nic Griffin, Maintenance Manager)

4. Cinder Block Underpinning of the Trailers at the Distribution Facility (Nic Griffin, Maintenance Manager)
5. Pine Mountain Gold Museum Train Engine Purchase (Nic Griffin, Maintenance Manager)

E. Economic Development (Janet Chumley, Manager)

1. 2021 SESAC Music Performance License for Municipalities

F. Utilities (Pete Zorbanos, Director)

1. Resolution of Support for Changes to State Highway System and Acceptance of Two Roadways (John Bain, Deputy Utilities Director)
2. Distribution | Collection Piping Material (John Bain, Deputy Utilities Director)
3. West Plant Belt Press Gearbox Replacement (John Bain, Deputy Utilities Director)
4. West Plant Sludge Pump Replacements (John Bain, Deputy Utilities Director)

G. Finance (Jennifer Hallman, Finance Director)

1. FY2021 Budget Amendments - #173 - 177

H. Deputy City Manager (Sarah Andrews)

1. 2022 Budget Calendar

I. City Manager (Tom Barber)

1. Approval of Work Order 17003.10a with Brennan Jones to Design the Town Branch Interceptor and Oversee Construction.
2. Call for Special Referendum to Allow or Deny the Package Sale of Distilled Spirits Within the City (C. David Mecklin, City Attorney)
3. Agreement with GDOT for Roundabout Lighting Assistance for SR 8 @ CS 352/CS 968/ Conners Road - P.I. No. 0015679 (Tom Barber, City Manager)

J. Consent Agenda Review (Mayor Gil McDougal)

K. 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.)

L. Adjournment



CITY OF VILLA RICA

City Council Packet

SUBJECT: Update on Villa Rica Livable Centers Initiative (LCI) study – soft launch for public engagement

CITY COUNCIL AGENDA DATE: August 10, 2021

PLANNING COMMISSION DATE: N/A

DATE: July 22, 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: No

PURPOSE: This is an opportunity for the City’s LCI consultant, MKSK, to provide a project update including accomplishments to date, next steps, and future expectations. We are currently around the halfway mark in the study process.

BACKGROUND: The City and MKSK launched the Villa Rica LCI program back in January 2021. Since then we have held numerous public engagement exchanges including online preference surveys, in person workshops, and countless online and in-person committee and project management team meetings. We thought it would be beneficial and appropriate to provide a soft launch of the next step of the LCI project – public presentation of the LCI conceptual plan and the solicitation of feedback from the community. None of these plans are currently set in stone, and none of the recommendations or priorities have been finalized at this point in the project.

STAFF RECOMMENDATION: For informational purposes only.

IMPACT: N/A

PLANNING COMMISSION RECOMMENDATION: N/A

MOTION: N/A

HELP US SHAPE THE FUTURE OF DOWNTOWN VILLA RICA & FULLERVILLE

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our Community Workshop

Tuesday, August 24th | 6:00p – 7:30p
Holt-Bishop Justice Center | 101 Main St

Visit bit.ly/villaricalci to learn more and get involved



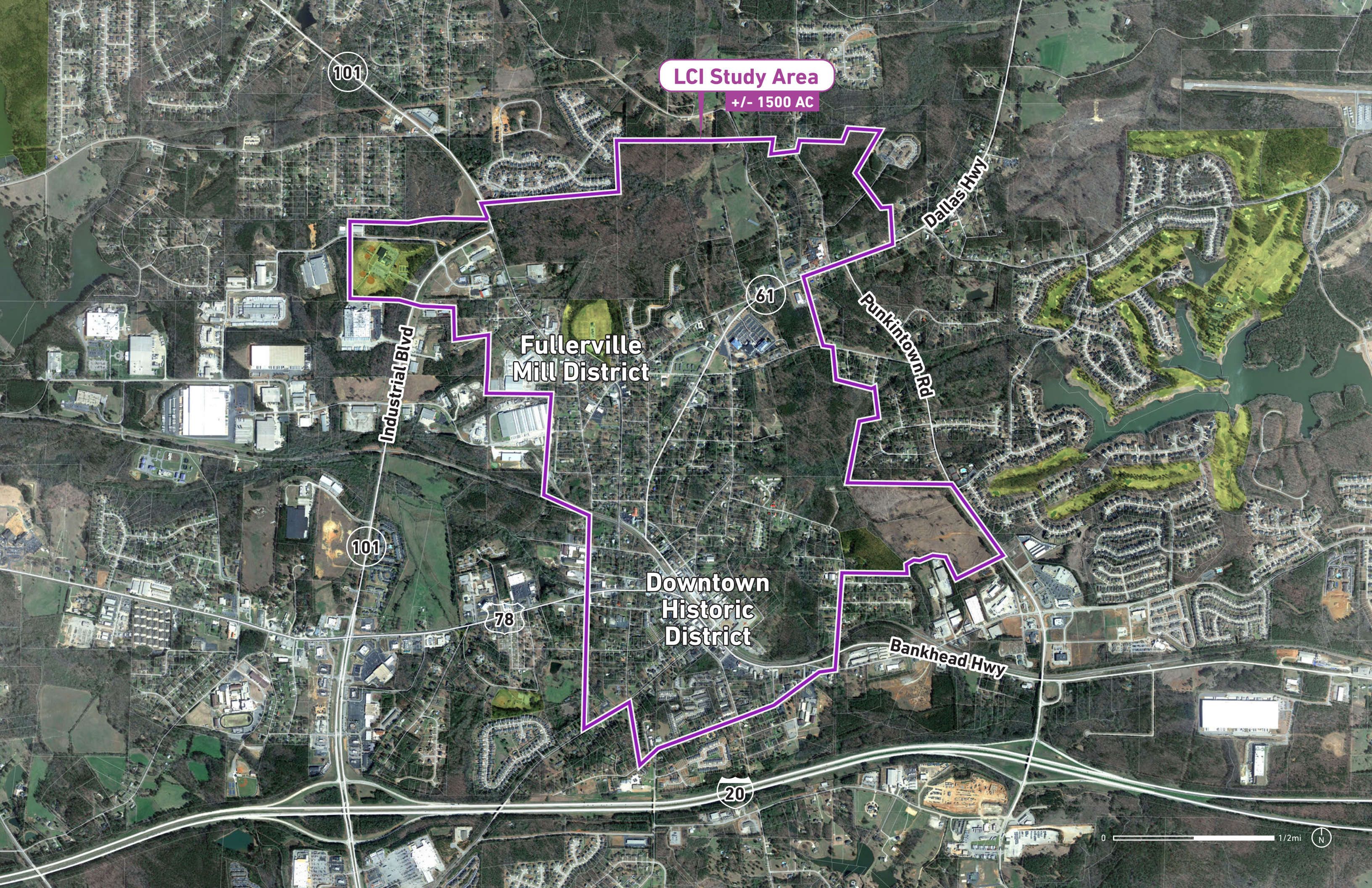


COUNCIL BRIEFING

CITY OF VILLA RICA LIVABLE CENTERS INITIATIVE STUDY

AUGUST 10, 2021





101

LCI Study Area
+/- 1500 AC

61

Dallas Hwy

Punkintown Rd

Industrial Blvd

Fullerville
Mill District

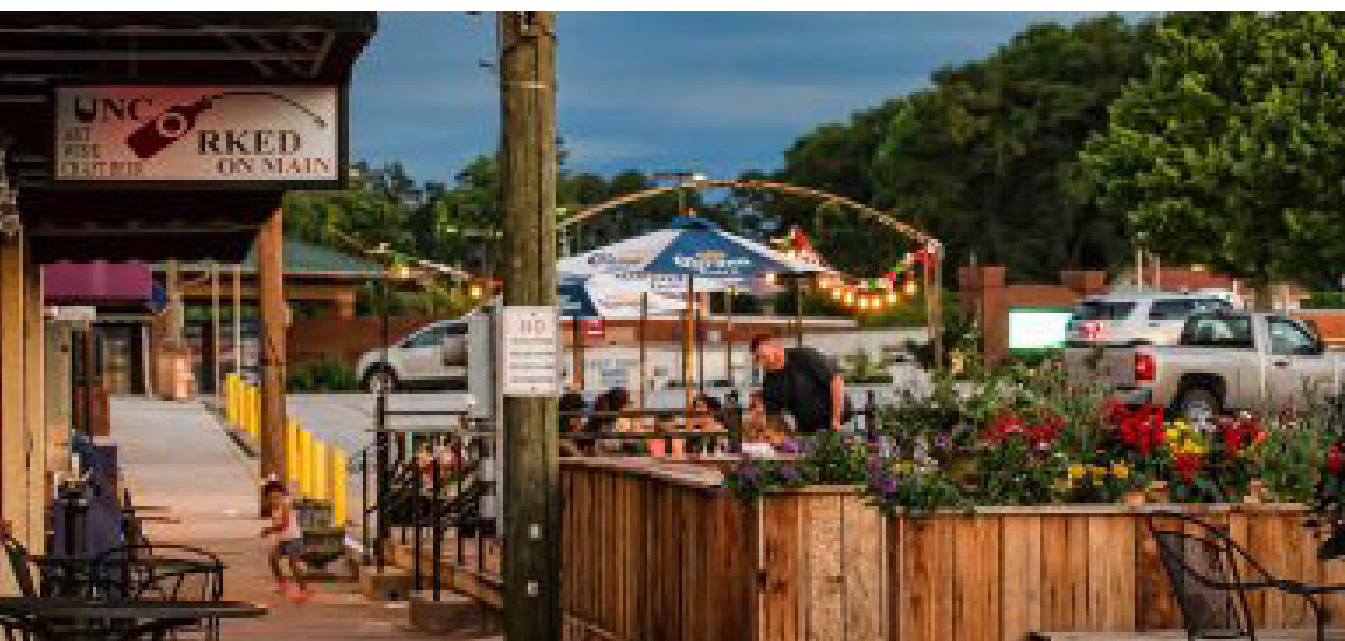
101

78

Downtown
Historic
District

Bankhead Hwy

20



PROCESS

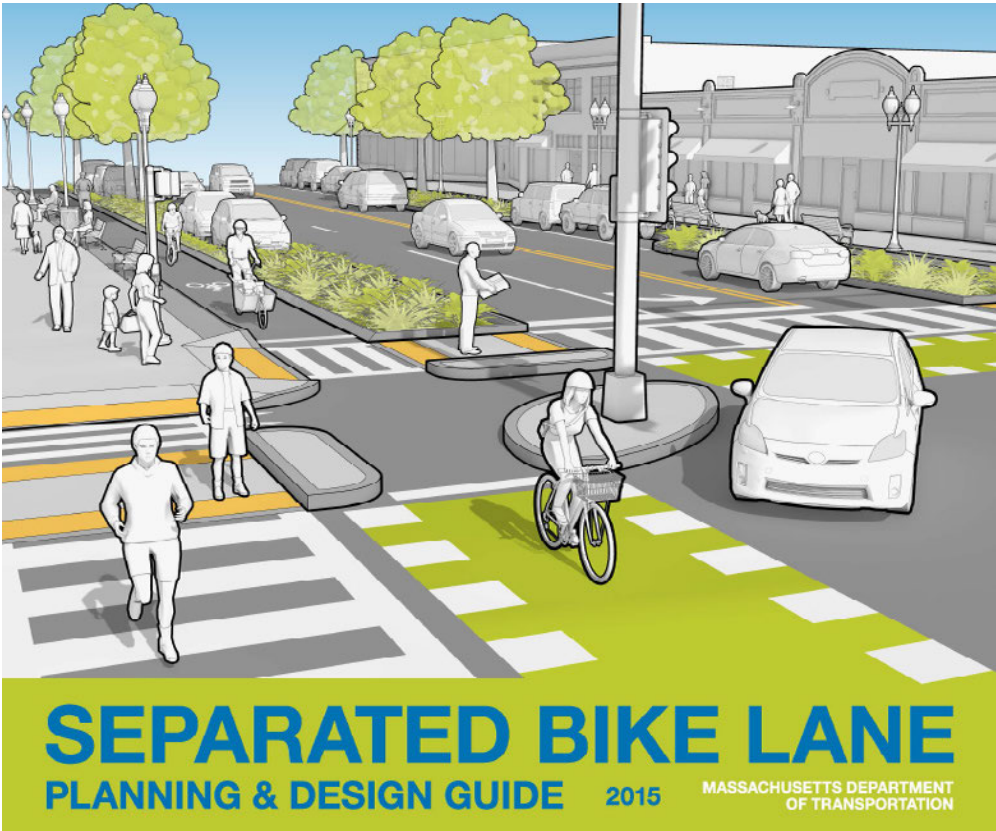
TEAM INTRODUCTION

MKSK



PLANNING & URBAN DESIGN

TOOLE
DESIGN



TRANSPORTATION PLANNING

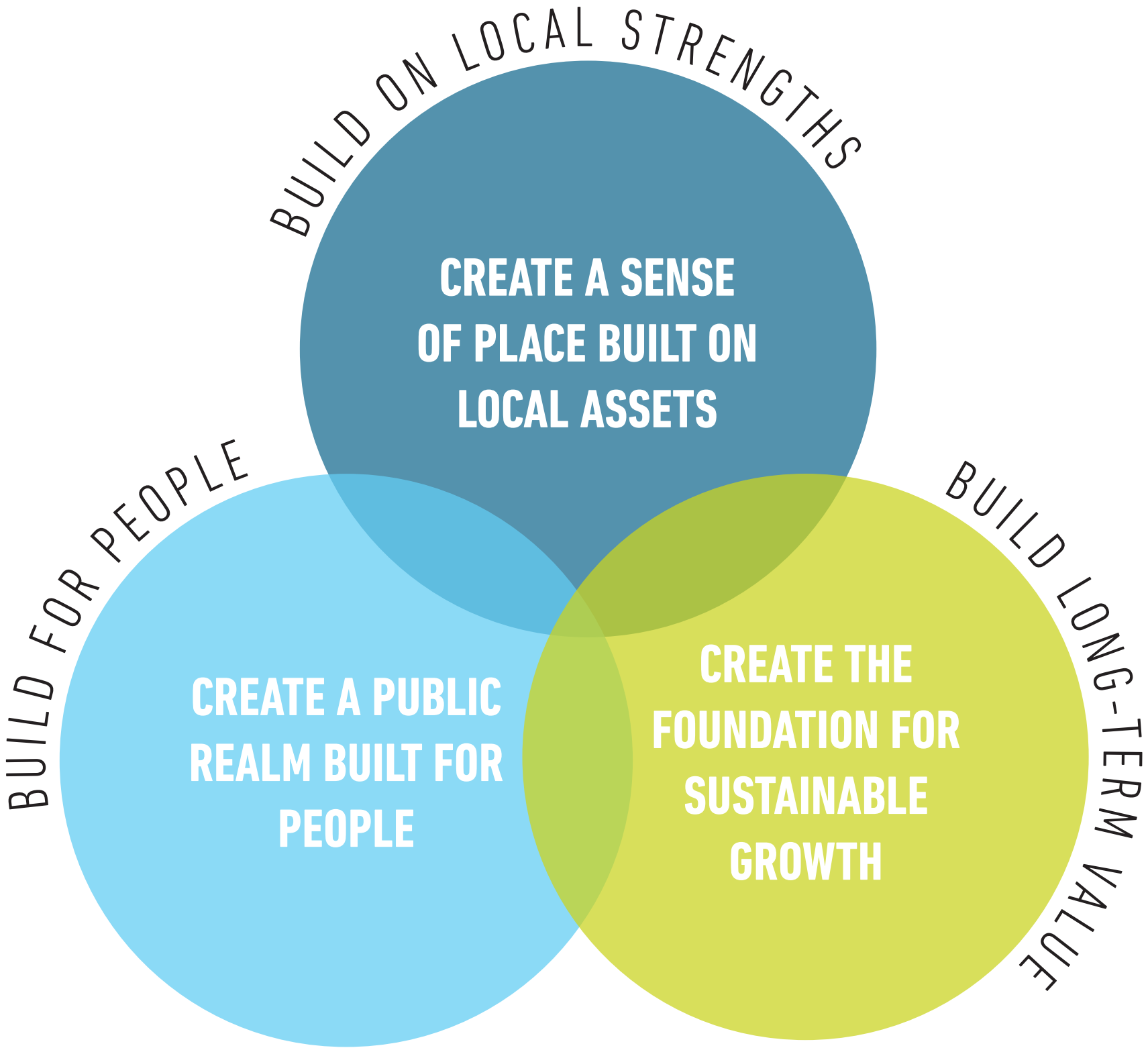
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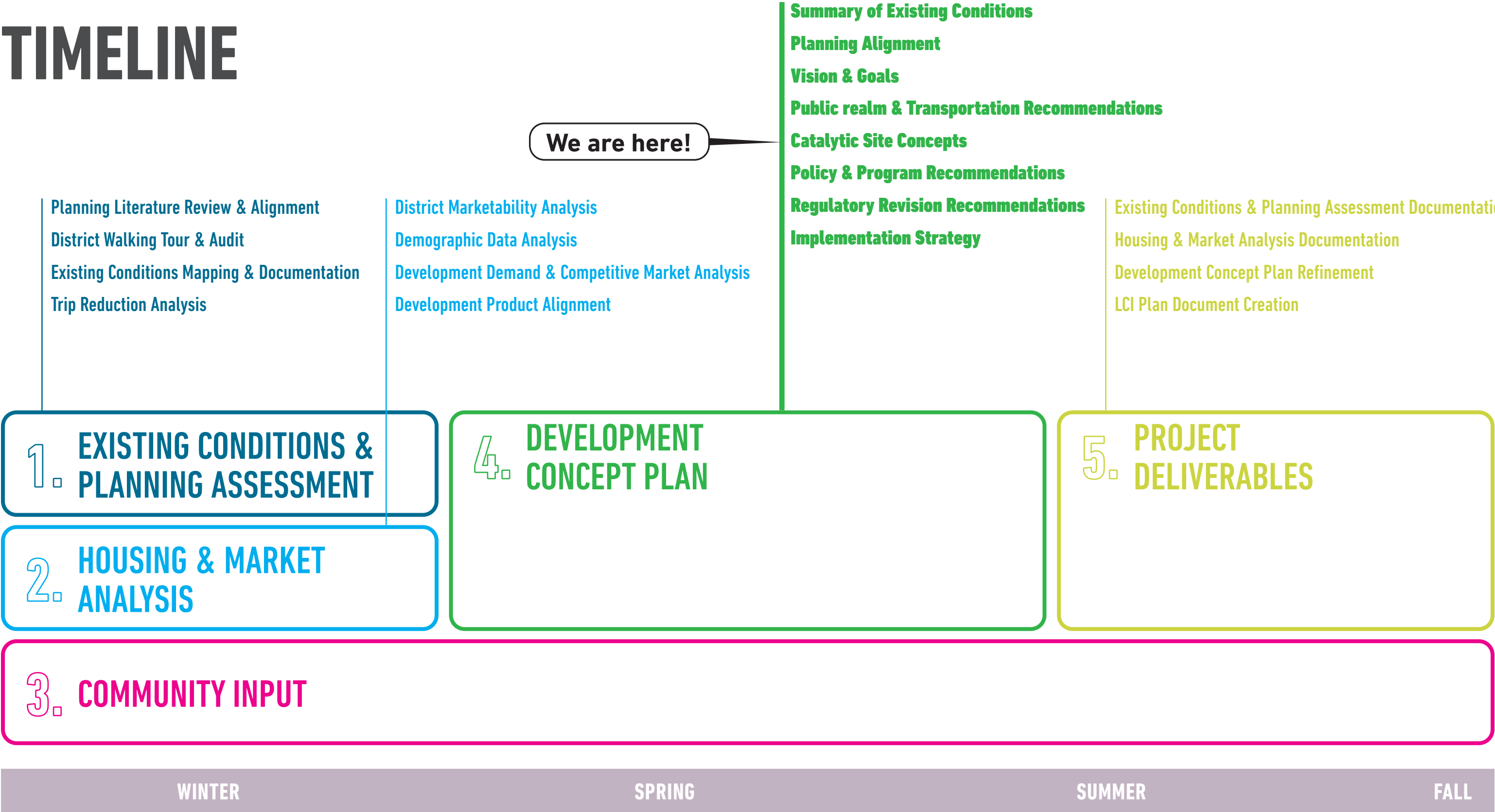
ECONOMIC & MARKET STRATEGY

PROCESS

APPROACH



TIMELINE

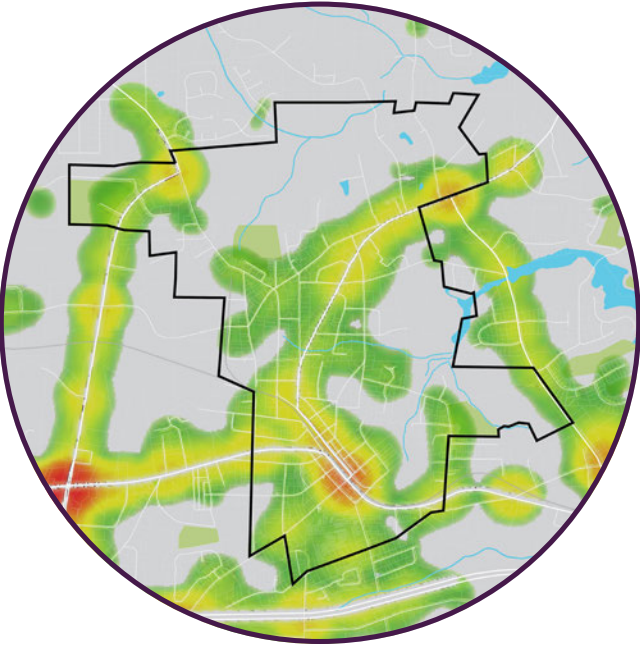


ASSESSMENT & ANALYSIS



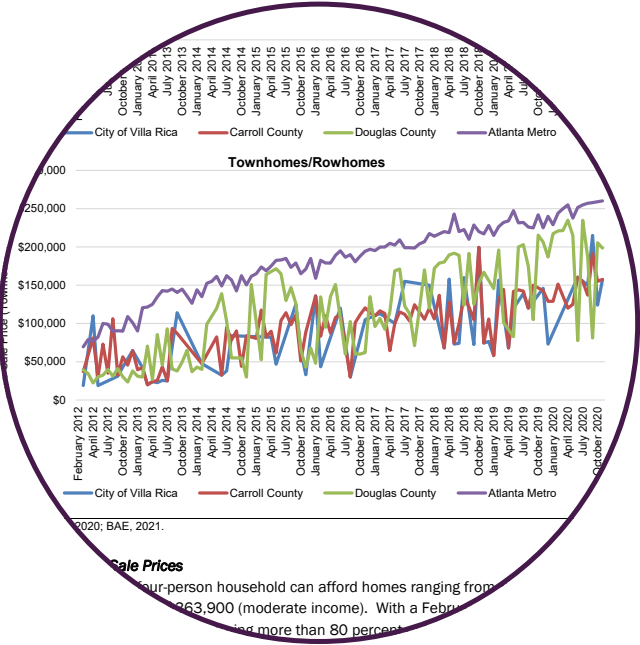
PLAN REVIEW & ALIGNMENT

Scan of current planning and regulatory environment



EXISTING CONDITIONS ANALYSIS

Data collection and thematic mapping



HOUSING & MARKET ANALYSIS

Analyses to gain an understanding of demand



FIELD WORK & DOCUMENTATION

On-site analysis & exploration

ENGAGEMENT & OUTREACH



PROJECT MANAGEMENT TEAM

We've met monthly with a team consisting of key city staff/administration.



ADVISORY COMMITTEE

We've met quarterly with a select group of key stakeholders.



STAKEHOLDER FOCUS GROUPS

We've hosted a series of stakeholder focus groups with members of the Villa Rica community.

We hosted a vision survey that received **209 responses!**



ONLINE ENGAGEMENT

We created a project webpage on the City's site which serves as the projects digital home.

VISION SURVEY

TOP THEMES FROM VISION SURVEY

- Downtown is a great place to **gather and visit**
- People would like to spend **more time Downtown**
- **Small town charm** sets Downtown apart
- **Rich history & recreation amenities** define the Fullerville Mill District
- **Connectivity, aesthetic improvements, and open space** will strengthen Villa Rica

“This area has great potential to be a quaint area that draws visitors”

Thank you for taking the time to help us understand Villa Rica's Downtown and the Fullerville Mill District. We appreciate your participation and hope you continue to stay involved throughout the planning process!

* 5. What is your favorite thing about Downtown Villa Rica today?

* 6. What would you like to see in Downtown Villa Rica in the future? What would make it a more livable place for residents, a more vibrant destination for visitors, and a more desirable place to do business?

- More/better parking

7. Do you have any other thoughts about what would transform Downtown Villa Rica into a more livable and vibrant place?

209
Total Survey Responses!

**“Love to have more
restaurants & things
to do downtown”**

VISION SURVEY

“To grow but maintain the small town atmosphere”

“The small town feel. The clean and well kept streets and buildings. The friendly and welcome feeling from people that live and work in our town.”

“Make the downtown a destination for the arts, entertainment, and cultural events.”

“Better connectivity between north and south sides of downtown. More residential, shops, and restaurant. Connectivity to Mirror Lake.”

“The history and buildings related to the mill industry”

“Friendly and safer pedestrian crossing over the railroad tracks.”

“Reroute thru traffic to street behind the main shops & close the existing street to car & truck traffic & make it a walking & bike only area.”

“Make the downtown a destination for the arts, entertainment, and cultural events.”

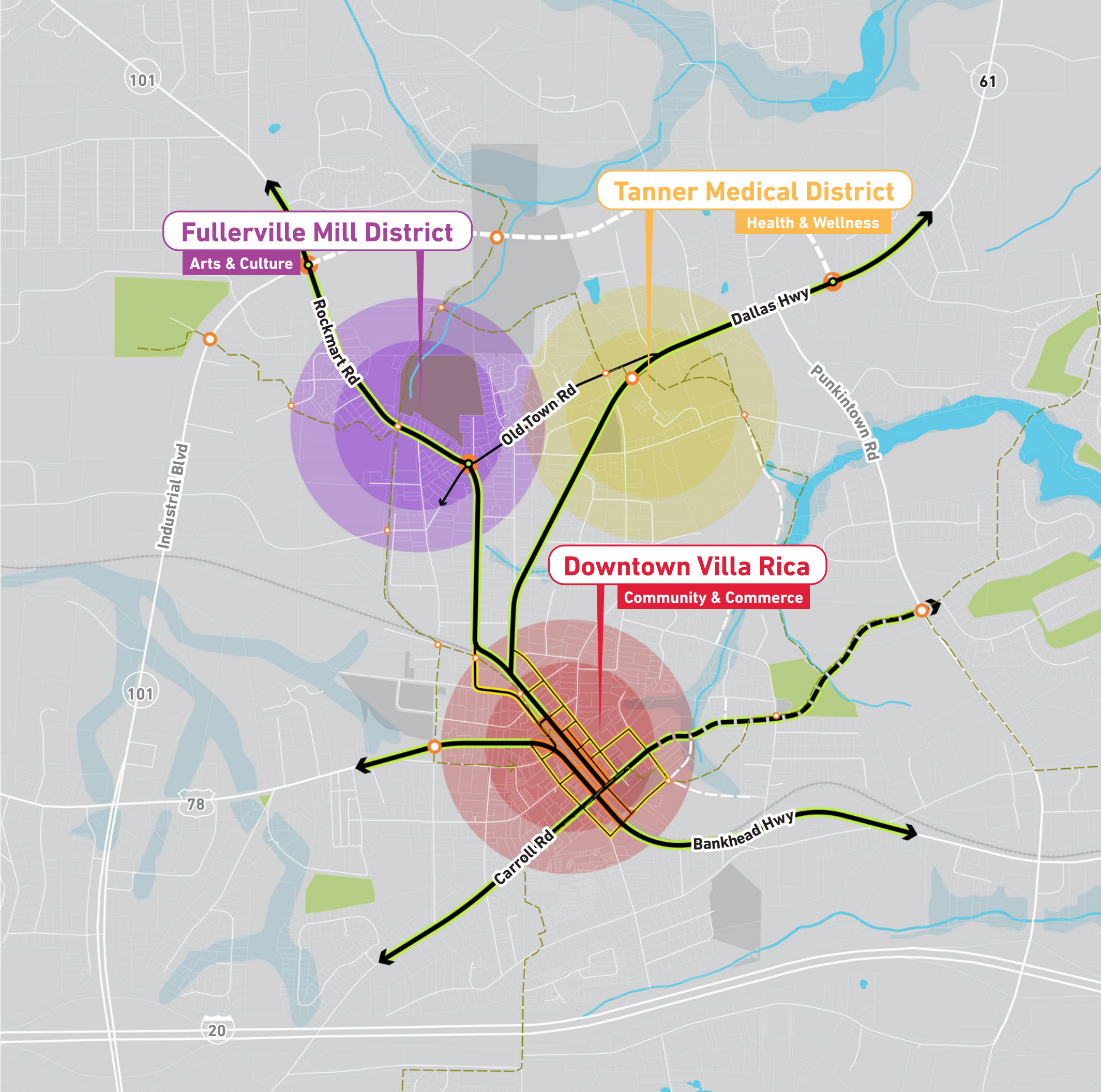
“Fullerville is an historic treasure, and a microcosm of how important the cotton industries were to the west Georgia area. I have enjoyed the banners!”

“More nature trails for hikers, more public playgrounds.”

PROCESS

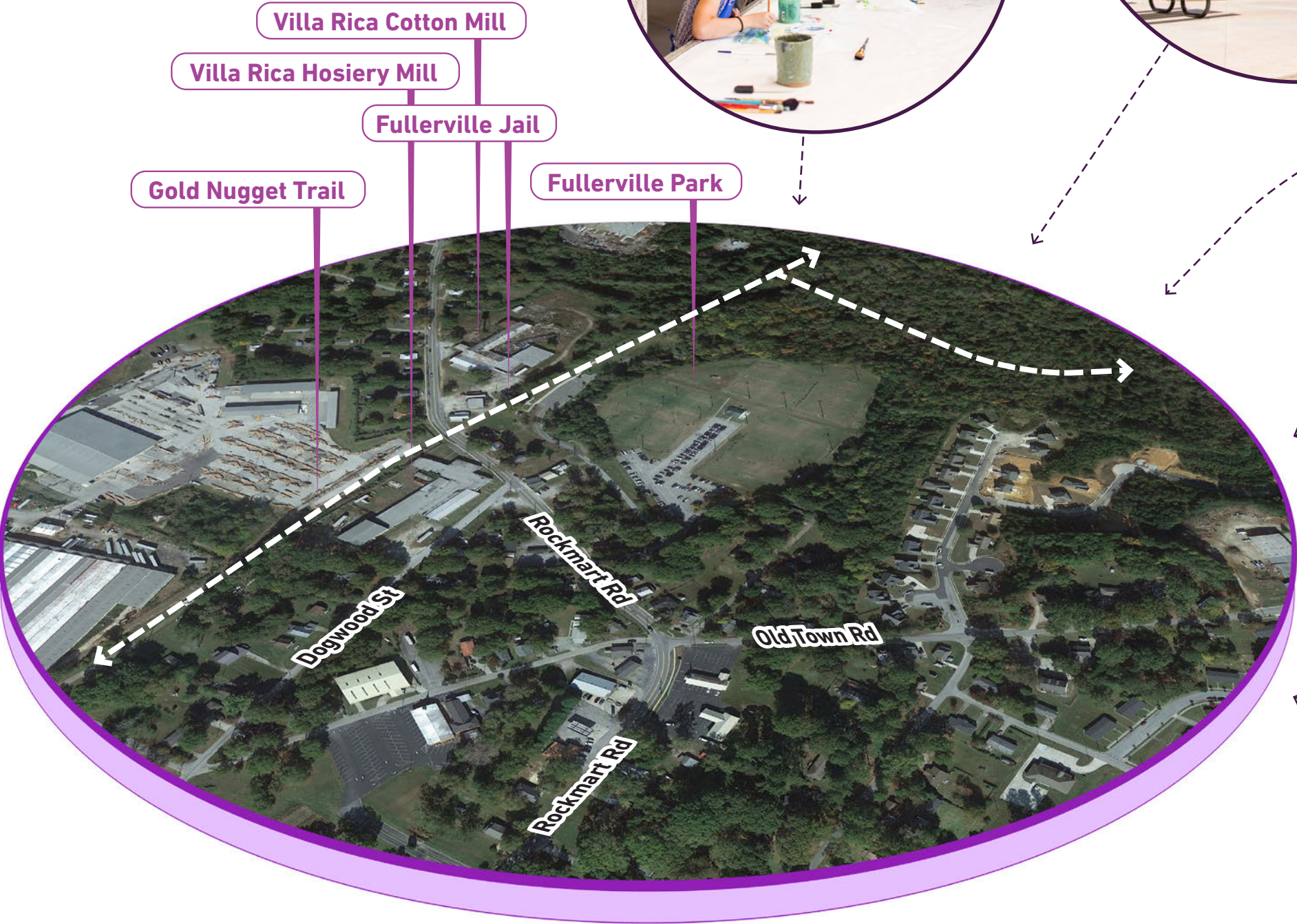
FRAMEWORK & FOCUS AREAS

- Gold Nugget Trail
- Walkable Ways
- Pedestrian Priorities
- Community Connectors
- Proposed Roadway (Current)
- Floodplain
- Lakes, Rivers, Streams
- Publicly Owned Parcels
- Existing Park



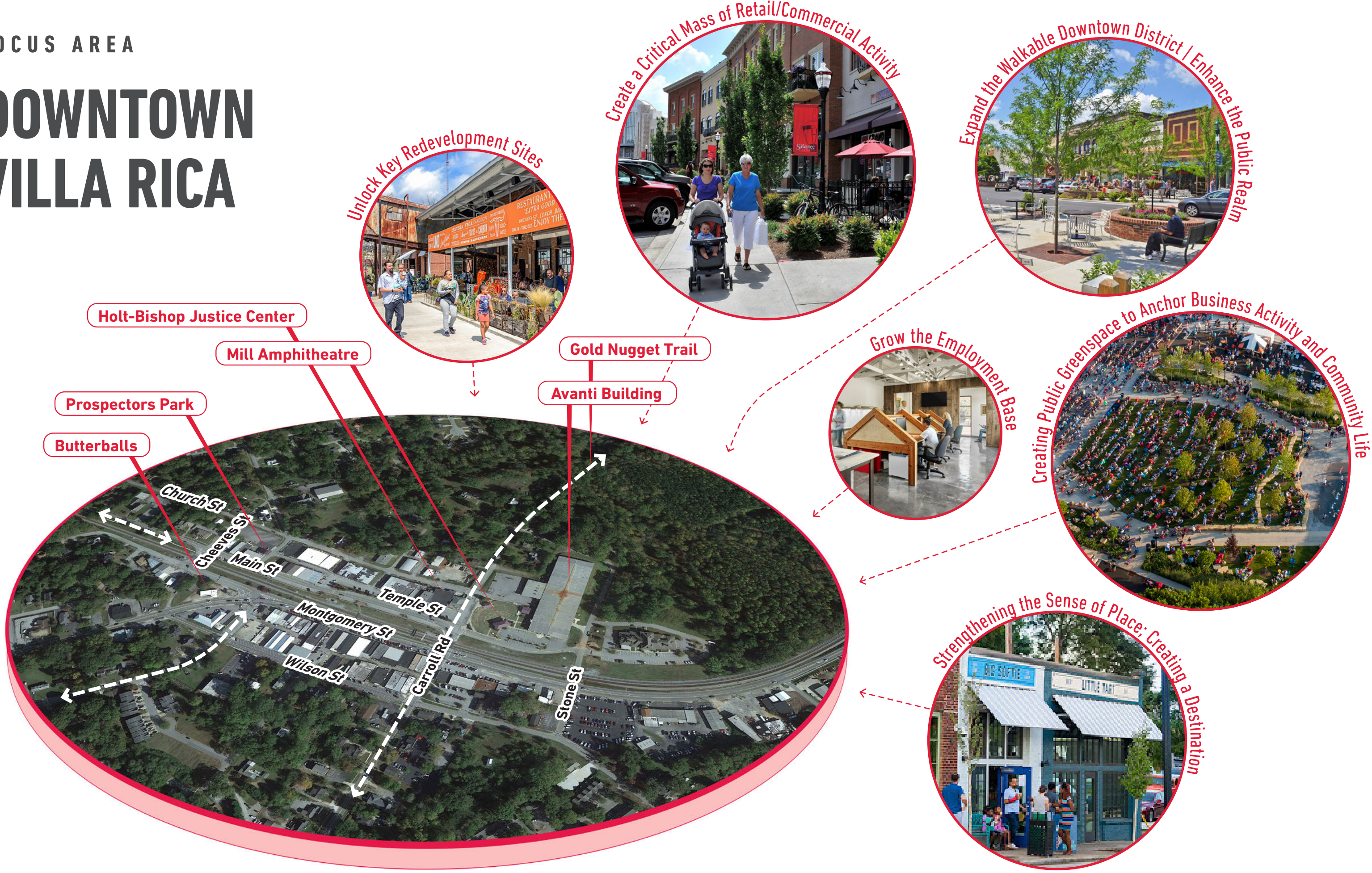
FOCUS AREA

FULLERVILLE MILL DISTRICT



FOCUS AREA

DOWNTOWN VILLA RICA



Holt-Bishop Justice Center

Mill Amphitheatre

Prospectors Park

Butterballs

Gold Nugget Trail

Avanti Building

Create a Critical Mass of Retail/Commercial Activity

Expand the Walkable Downtown District | Enhance the Public Realm

Grow the Employment Base

Creating Public Greenspace to Anchor Business Activity and Community Life

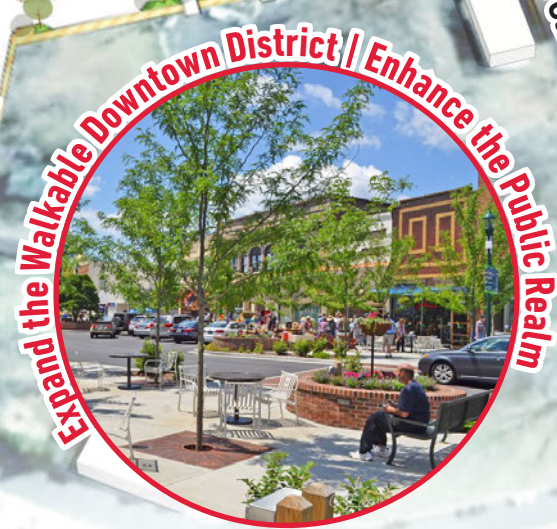
Strengthening the Sense of Place; Creating a Destination

DRAFT CONCEPT

DOWNTOWN VILLA RICA



Butterballs

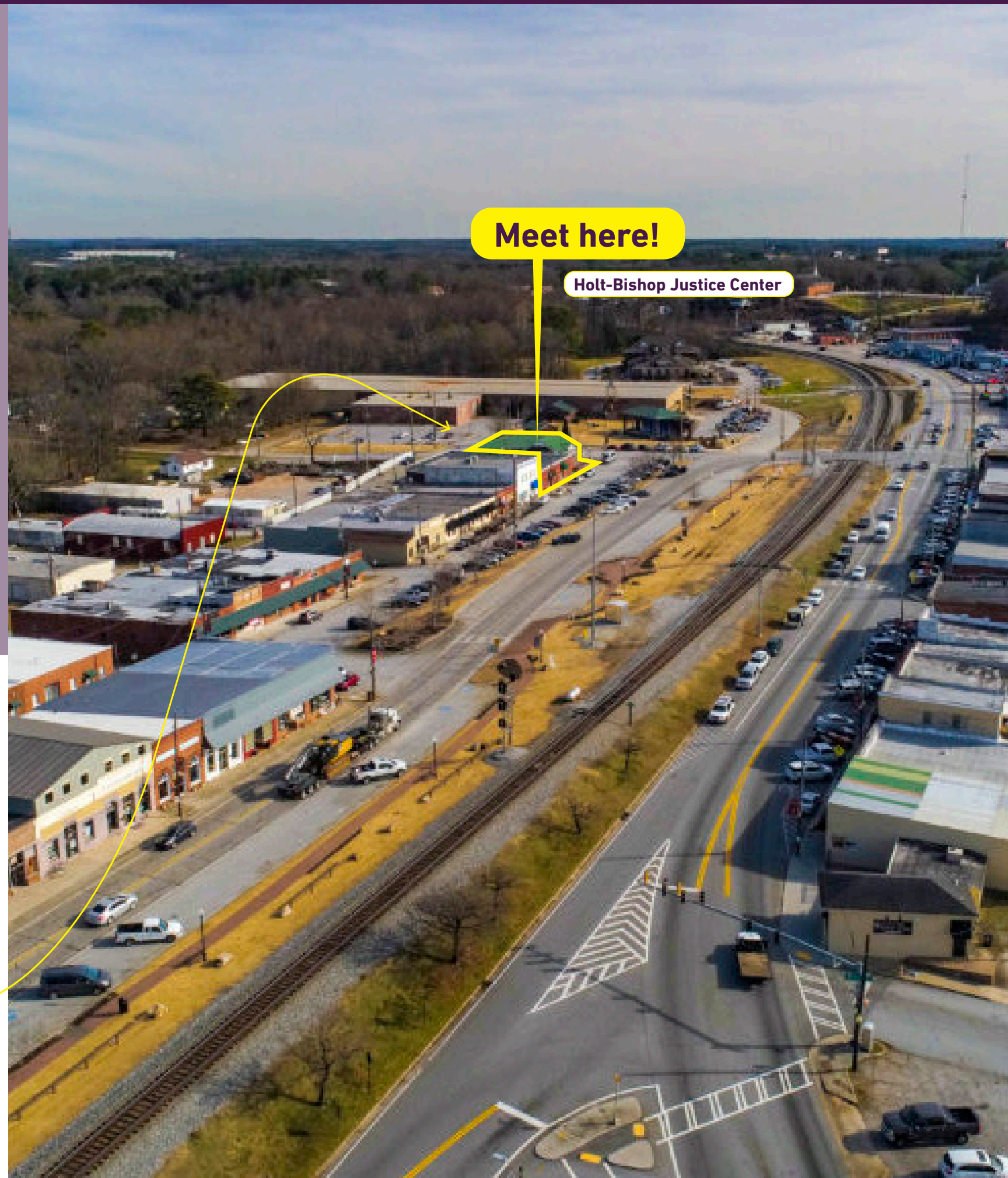


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MKSK

Atlanta, GA
Columbus, OH
Cincinnati, OH
Detroit, MI
Greenville, SC
Indianapolis, IN
Lafayette, IN
Louisville, KY



CITY OF VILLA RICA

City Council Packet

SUBJECT: RA-05-21– Alteration to the Mirror Lake PUD

CITY COUNCIL AGENDA DATE: August 10, 2021

DATE: July 29, 2021

PREPARED BY: Bobby Elliott, Planning and Zoning Specialist

FISCAL IMPACT: N/A

PUBLIC HEARING REQUIRED: Yes

PURPOSE: The City of Villa Rica is requesting an alteration to the Mirror Lake Planned Unit Development (PUD) zoning to alter the number of units to be constructed and assign densities and minimum lot sizes for the remaining undeveloped acreage.

BACKGROUND: The city is applying to increase the number of single-family units in Mirror Lake in favor of reducing the number of multi-family units. Mirror Lake has multiple nodes that have not been constructed and the city only has 33 more permits that can be issued within the PUD based on maximum unit counts approved in 1997 and subsequent years. The city is proposing to increase the number of single-family units from 1,729 units to 2,522 units while decreasing the number of multi-family units from 1,265 units to 767 units. This would allow for a total of 790 more single family units to be constructed and 517 multi-family units to be constructed in order to finish the subdivision.

STAFF RECOMMENDATION: Staff recommends approval

PLANNING COMMISSION:

MOTION:

I move to approve the alteration of the Mirror Lake PUD to adopt the Master Plan map dated July 13, 2021 and corresponding Master Plan document dated June 2, 2021 and revised through July 7, 2021.



Planning & Zoning

Community Development Department

RA-05-21

Council Ward: 1 & 4

Planning Board Member: Willie Marchman/John Hannabach

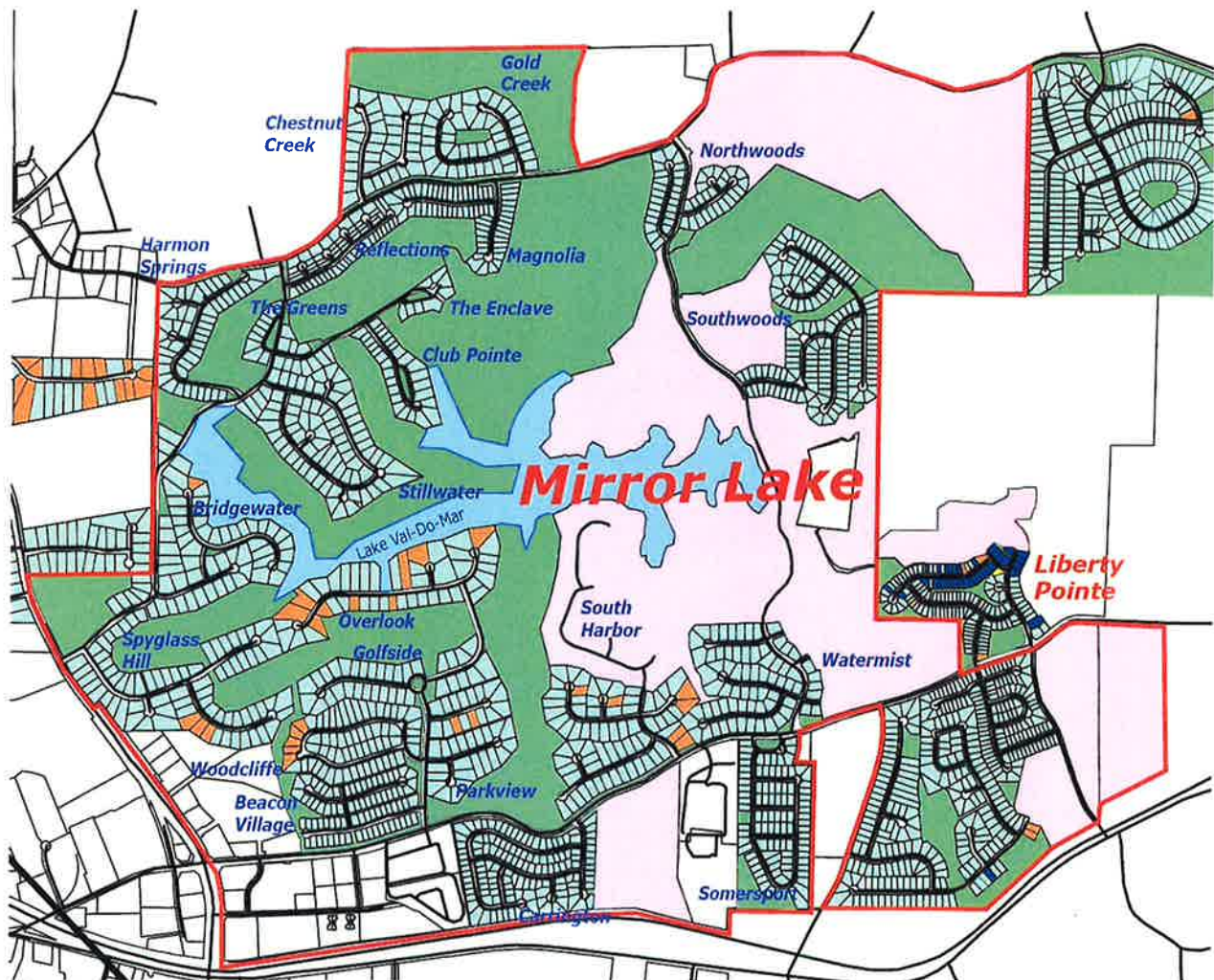
City Council Member: Shirley Marchman/Michael Young

Public Hearing Dates

Planning Commission: August 3, 2021

City Council: August 10, 2021

Request: Alteration of a Planned Unit Development (PUD) Zoning for the Mirror Lake Community



*Subject area outlined in red

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

Acres: 1,000+ Acres
Current Land Use: Single Family
Residential/Undeveloped
Future Development Character Area:
Suburban Neighborhood

Parcel Number(s): Various

Location: Connors Road area, Villa Rica, Georgia 30180, in Land Lots 172-175; 178-180; 205-207 of the 25th District of Douglas County.

Project Description:

The city (as applicant) is requesting an alteration of densities, permitted uses and the maximum unit count for the Mirror Lake Planned Unit Development as per the revised Master Plan, dated July 13th, 2021. The proposed changes would permit the development of the remaining vacant parcels within the community.

Proposed Private Improvements

Single Family Residences:	790+/- homes in pocket neighborhoods over 311.29-/+ acres
Multi Family Residences:	517+/- units over 51.75 +/- acres

Surrounding Properties:

	Current Zoning	Land Use
North	Planned Unit Development (PUD) – City	Museum/Park/Recreation
	Residential Agricultural (R-A) – Unincorporated Douglas County.	Single-Family Residential/Agricultural and Undeveloped
East	Single Family Agricultural (AG) & Planned Unit Development (PUD)- City	Residential and Undeveloped
	Residential Agricultural (R-A) - Unincorporated Douglas County	
South	Commercial Medium Density (C-2) Multifamily Low-Density (MF1)	Retail/Commercial & Multi-family
	Residential Agricultural (R-A) & Light Industrial (LI) -Unincorporated Douglas County	Single Family Residential, Undeveloped and Industrial
West	Single-Family Agricultural (AG) & Single-Family Suburban (R-1), Commercial Medium Density (C-2), Multi-Family Low Density (MF1), Industrial Medium-Density (I-2)	Single-Family Residential/Agricultural and Undeveloped
	Residential Agricultural (R-A) – Unincorporated Douglas County	

Rezoning Review Standards:

The Zoning Ordinance of the City of Villa Rica requires all Planned Development Concept Plan applications to be evaluated using the review criteria established for zoning map amendments (Section 11.05).

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 “Suburban Neighborhood” as the future land use for the parcel. The intent of the Suburban Village Character Area is as follows:

“Suburban Neighborhoods are characterized by detached, single-family homes at low to moderate density residential development and neighborhoods. Higher densities in suburban areas are established through in planned developments. Green space is largely provided on individual lots, but neighborhood open space and/or park amenities may also be provided. Pedestrian connectivity is moderate, where sidewalks may be internal to a neighborhood but may not currently connect to nearby parks and schools. Such connections should be provided in new developments.

Future development will continue to be primarily detached, single-family homes, with opportunities for variations in housing types and lot sizes based on surrounding uses and sewer availability. Multi-family developments may be acceptable when compatible with surrounding dwelling types and where it can be supported by sewer. The road network should provide connectivity to surrounding areas and activity centers.”

The Character Area has design principles that recommend detached single-family homes at lower densities (1-2 du/ac for single-family development) and moderate density (4-8 du/ac) located near community crossroads or activity centers. The primary future land uses are single-family residential uses and secondary uses may include two-family dwellings, and multi-family dwellings (apartments, townhomes, lofts) where similar land uses are located; senior housing developments and conservation subdivisions. Civic benefit uses such as community centers, libraries, places of worship, schools, parks, greenways and trails are also proposed. 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 Suburban Neighborhood Character Area. The UDC zoning categories and their corresponding 2020 zoning ordinance categories are indicated below:

TABLE 2 - APPROPRIATE ZONING CATEGORIES – MEDICAL ACTIVITY AREA	
<u>UDC Zoning Categories</u>	<u>Corresponding 2020 Zoning Ordinance Category</u>
Rural Development (RD)	Single-Family Agricultural (AG)
Single-Family (R-20)	Single-Family Suburban (R-1) Single-Family Urban (R-2)
Residential Multi-Family (R-14)	Multi-Family Low-Density (MF1) Multi-Family Medium-Density (MF2)
Planned Development (PD)	Planned Unit Development (PUD)

ii. Current conditions and the character of current structures and uses in each district;

The PUD currently features several nodes that are completely, or almost completely developed with single-family homes, amenities, a golf course, and multi-family housing south of Connors Road. The character of the PUD is residential in nature, and is intended for primarily low-density detached residential homes. The original PD plan was created in 1997 and proposed the same uses and similar densities as the proposed plan, however the commercial section of the original PUD was removed in November 2020 with the citywide rezoning effort.

iii. The most desirable use for which the land in each district is adapted;

The proposed single-family and multi-family development is a continuation of the existing uses when the zoning was initially applied in 1997. The creation of Mirror Lake at that time tremendously increased the housing stock in the city and subsequently the housing values in the area. The areas of the subdivision that were never constructed were already set aside for residential development. The increase in the number of units within the neighborhood would allow for the building out of all undeveloped portions of the subdivision, which would be the most desirable outcome for the subdivision and the Douglas County portion of the city based on the Comprehensive Plan and overall character of the area. The current use of the properties as a vacant, undeveloped site is not the highest and best use for the property given the acreage and the original vision for the 1997 PUD plan.

iv. The conservation of property values throughout the jurisdiction; and

Property values in the area are expected to increase with the completion of all undeveloped nodes within the Mirror Lake subdivision, by the alteration of the PUD and increase in the number of homes.

v. Responsible development and growth

The growth in the Mirror Lake area has been extensive over the past twenty years and has brought about a tremendous change to the city, including high-end housing stock, higher quality housing, a variety of price points, an improved transportation network and more commercial development within the vicinity. The building out of the remaining parcels for single-

family usage is consistent with the intent of the original development. In 1997, the City Council also permitted multi-family housing, to which they assigned 1,265 units for development. Only 250 units have been constructed (The Preserve/Hawthorne) and 1,015 units remain to be constructed. The city is now proposing to reduce those multi-family units to 517 units remaining for construction and increase the single-family cap from 1,729 units (approved in 1997 and subsequent years) to 2,522 total single-family homes within Mirror Lake, which is an increase of 790 units. The city currently only has 28 single-family permits remaining for issuance as of July 2021. At the time of the initial PUD, the city only approved multi-family housing south of Connors Road. The proposed alteration would keep multifamily development sites south of Connors Road and would add an additional multi-family site north of Connors Road and east of Watermist Phase IIB (referred to as Watermist Phase III).

This change is in conformance with the Comprehensive Plan and would represent the highest and best uses for the vacant properties. The clustering of higher density uses near major roadways are encouraged by the Comprehensive Plan, and the additional density is warranted as the community is located at a community crossroad at Connors Road and Mirror Lake Boulevard.

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 is almost exclusively single-family residential, with one multi-family development and previous to November 2020, included the Mirror Lake Shopping Center and the area south of Connors Road along Quartz Dr and Permian Way. The proposed PUD alteration would be suitable for this area based on the Comprehensive Plan's goals and policies for the Suburban Neighborhood Future Land Use designation and overall consistency with the original intent of the PUD.
- ii. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**
The proposed rezoning and development are not expected to adversely impact the existing uses nearby or access to those sites. Connors Road has a mix of single- and multi-family uses, and the proposed alteration would complement those uses while adding more units. No adverse effect is expected.
- iii. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;**

The property does not have a reasonable economic use as currently zoned, as only 33 units remain to be constructed within the entire PUD. Because of the size and location of the parcels, a residential use with higher unit counts and density than the 33 units would yield is the most desirable outcome for 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 Suburban Neighborhood as the land use character area, which recommends single- and multi-family zoning categories, which aligns with the requested alteration to the PUD.

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.

The current real estate market in West Georgia has high demand for new construction homes and apartments alike. Planned neighborhoods such as Mirror Lake would benefit greatly by this increase in demand. The intent behind the initial rezoning in 1997 was for a complete subdivision with varying price points and densities. This alteration to the original PUD would allow for development to continue in the areas that were intended for development in 1997. In addition, sidewalks and golf cart trails for the remainder of the development will connect the sites to surrounding neighborhoods for pedestrian access. These improvements are expected to improve the desirability of the parcels in question as they will be connected to a wider transportation network.

Staff Comments:

The city is requesting an alteration of the original PUD plan approved in 1997 by the City Council. The submitted Planned Development Master Plan proposes to increase the number of single-family units from 1,729 units to 2,522 units, and decrease the number of approved multi-family units from 1,265 units to 767 units with varying densities in each pod. This increase will allow for the creation of 1,307 additional units beyond the units that are currently platted and/or reserved.

Staff was unable to make determination on a number of factors based on the application provided. In particular, the following was not included in the application:

1. Location of existing and proposed sanitary sewers (not provided due to presumed cost of utility plan)

2. Proposed size and location of all buildings and all off-street parking areas (not provided because architectural plans not completed)
3. If subdivision of land is required, the applicant shall submit a preliminary plat prepared in accordance with all application requirements (not provided)

In accordance with Georgia Comprehensive Rules & Regulations 110-12-3.05(1)(a)(2), this project must undergo the process for Developments of Regional Impact (DRI) review with the Atlanta Regional Commission prior to a final plat approval, as more than 400 units of housing is proposed.

Recommendation:

Staff recommendation: **APPROVAL WITH CONDITIONS**

To be submitted and approved within one year (1) of Alteration to PUD Plan approval:

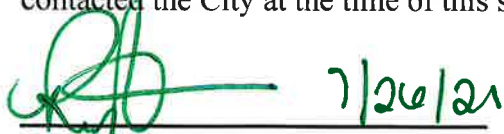
1. Preliminary plat application in accordance with the requirements and depicting the following should be reviewed and approved by Planning and Zoning Commission and City Council.
 - a. Proposed building footprint and density in each proposed node to be included in the Planned Development (single-family, multi-family, etc.)
 - b. Public improvements plan showing connections to existing cart paths, sidewalks, etc.
 - c. Section of Mirror Lake Parkway to be dedicated to the city at the dam for Lake Vald-mar
2. Maximum number of single-family units: 2,522 units
3. Maximum number of multi-family units: 767 units
4. Zoning book, phasing plan, Homeowners Association covenants, and utility plan to be submitted for approval with the Final Plat
5. The applicant/developer must follow all zoning tabulations and design-based representations as presented in the accompanying document titled "Mirror Lake Planned Unit Development Master Plan", dated June 2, 2021 (revised July 7th, 2021. This document is fully transferrable and applicable to any future developer or builder of the site.

Public Notifications:

As required by *Article 2, Section 11.05* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on August 15, 2019.

Public Response:

In response to the public notifications, no residents within the surrounding neighborhoods have contacted the City at the time of this staff report.

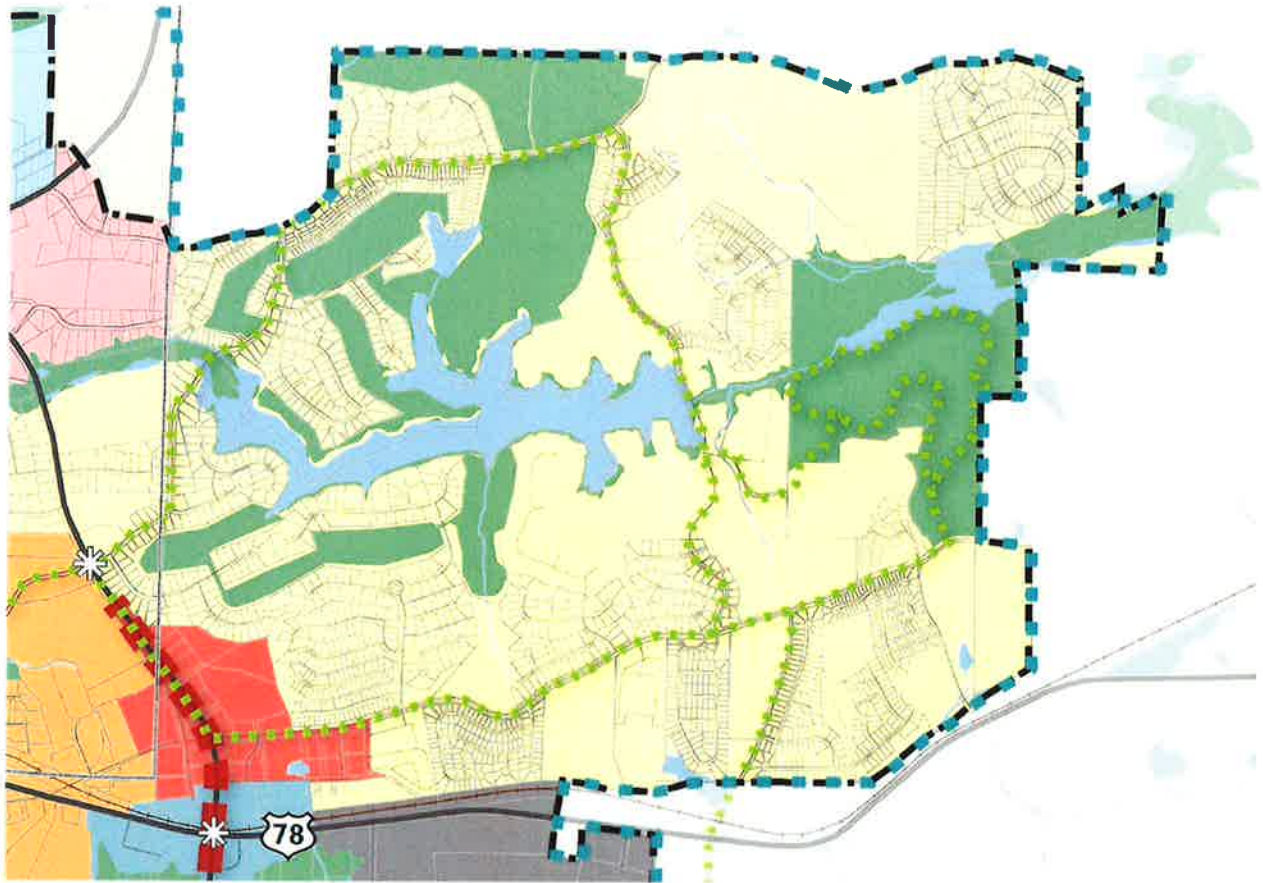


Ronald Johnson, Planning & Zoning Specialist
Office of Community Development

Attachments:

1. Application
2. Mirror Lake PUD Revised Master Plan
3. Mirror Lake Planned Unit Development Master Plan 6/2/2021 (Rev. 07/07/2021)

Future Development Map



CHARACTER AREAS

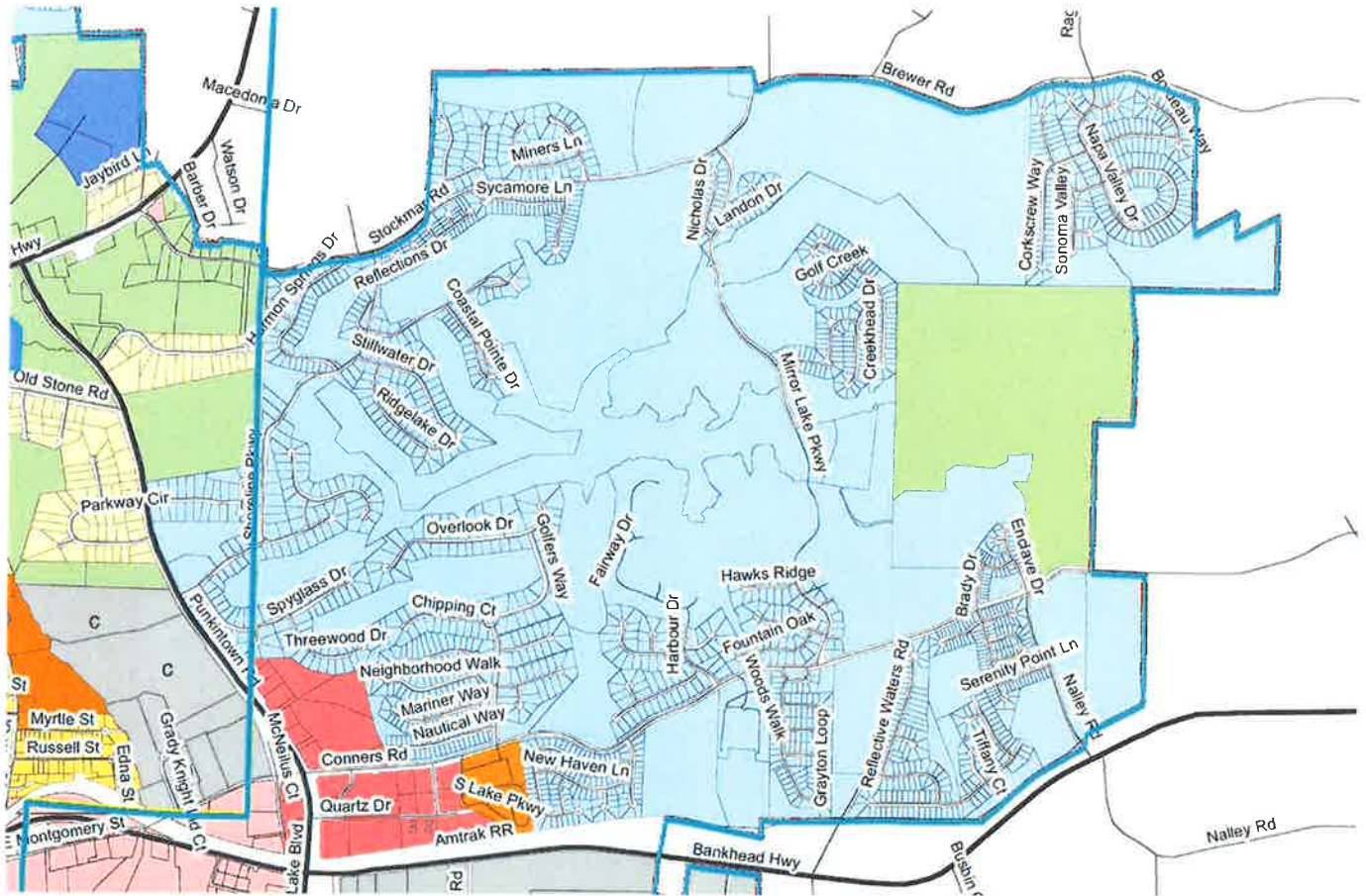
-  CONSERVATION / OPEN SPACE
-  TRADITIONAL NEIGHBORHOOD
-  SUBURBAN NEIGHBORHOOD
-  URBAN VILLAGE
-  SUBURBAN VILLAGE
-  COMMUNITY CROSSROADS
-  I-20 GATEWAY
-  COMMERCIAL CORRIDOR

ACTIVITY CENTERS

-  DOWNTOWN
-  INDUSTRIAL
-  COMMERCIAL
-  MEDICAL
-  PROPOSED GREENWAY TRAIL
-  PROPOSED ROAD PROJECTS
-  URBAN GROWTH AREA
-  CITY BOUNDARY



Zoning Map



Map Legend

- City Limits
- AG - Single-Family Agricultural
- R1 - Single-Family Suburban
- R2 - Single-Family Urban
- SFA - Single-Family Attached
- MF1 - Multifamily Low-Density
- MF2 - Multifamily Medium-Density
- CBD - Central Business District
- CMU - Commercial Mixed Use
- C1 - Commercial Low-Density
- C2 - Commercial Medium-Density
- OMI - Office Medical Institutional
- I1 - Industrial Low-Density
- I2 - Industrial Medium-Density
- PUD - Planned Unit Development



Application Checklist

Please complete this form when accepting an Alteration to Rezoning Conditions. For processing a Rezoning request or map/text amendments, application shall be submitted in accordance with a schedule adopted annually by the City Council. Each application shall be submitted at least 50 days prior to the date on which it is to be considered by the City Council and in any event in sufficient time so as to permit advance advertising and notice of any public hearing(s).

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION.

Please check the following items being submitted:

- ☐ 1. **Application Form:** Completed, signed and **notarized** by property owner. Application must have property owner's original signature.
- ☐ 2. **Campaign Disclosure Form:** Signed and notarized by the applicant and agent.
- ☐ 3. **Letter of Ownership:** Letter stating that the property owner is aware of the request and/or owns the property in question.
- ☐ 4. **Letter of Intent:** Must clearly state the proposed use and development intent
- ☐ 5. **Survey Plat (8 ½ x 11):** Prepared plat of the **Subject Property** that has been sealed within the last ten years by a professional engineer, landscape architect or land surveyor registered in the State of Georgia. Said survey plat shall: 1) indicate the complete boundaries of the subject property and all buildings and structures existing therein; 2) Include a notation as to whether or not any portion of the subject property is within the boundaries of the 100 year floodplain; and 3) Include a notation as to the total acreage or square footage of the subject property
- ☐ 6. **Conceptual Site Plans (max. 24 x 36):** Twenty (20) copies that illustrates minimum details of the development standards: Buildings, setbacks, buffers, road frontage, correct scale, north arrow, present zoning classification, topographic information to show elevation and drainage, location and extent of required buffers, proposed lot layout.
- ☐ 7. **Fee:** As listed on the Fee Schedule to defray the administrative and processing costs.

Name of Applicant: City of Villa Rica

Signature of Applicant: _____ Date: 7/26/2021



Alteration to Rezoning Condition

Name of Applicant: City of Villa Rica Phone: 770-459-7000 Date: 7/26/21
 Address Applicant: 571 W. Bankhead Highway Fax: _____ Pager/Cell: _____
 City: Villa Rica State: GA Zip: 30180 E-mail: tbarber@villarica.org
 Name of Agent: Tom Barber Phone: 678-840-1211 Date: 7/26/21
 Address Agent: SAME Fax: _____ Pager/Cell: _____
 City: _____ State: _____ Zip: _____ E-mail: _____

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (PLEASE CHECK THE TYPE OF REQUEST OR APPEAL AND FILL IN ALL APPLICABLE INFORMATION LEGIBLY AND COMPLETELY).

For the Purpose of Alteration of unit count and densities for remaining undeveloped acreage as indicated in the attached PUD Master Plan
 (Type of Development)

Address of Property: Conners Road Nearest intersection to the property: Conners Rd & Mirror Lake Pkwy
 (Street Address, if Applicable, Nearest Intersection, Etc.)

Land Lot Number(s): 172-175; 178-180; 205-207, District(s): 25, County: Douglas

Size of Tract: 1,000+ acre(s) Gross Density: _____ units per acre Net Density: 1.5-10 units per acre

Property Tax Parcel Number(s): Various (Required)

Adjacent Property Owners:

North: _____ East: _____
 South: _____ West: _____

Witness' Signature _____

Signature of Owners/s _____

Printed Name of Witness _____

Printed Name of Owners/s _____

Notary _____

Signature of Agent _____

(For Office Use Only)

Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____ (FEES ARE NON-REFUNDABLE)

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

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

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

Manager's Signature: _____ Date: _____



Applicant Campaign Disclosure Form

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 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 or Planning Commission who will consider the application?

Yes No N

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 _____ day of _____, 20__.

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 _____ 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.

MIRROR LAKE P.U.D.

CITY OF VILLA RICA
CARROLL & DOUGLAS COUNTY, GEORGIA

REVISED MASTER PLAN

JULY 13, 2021

LEGEND

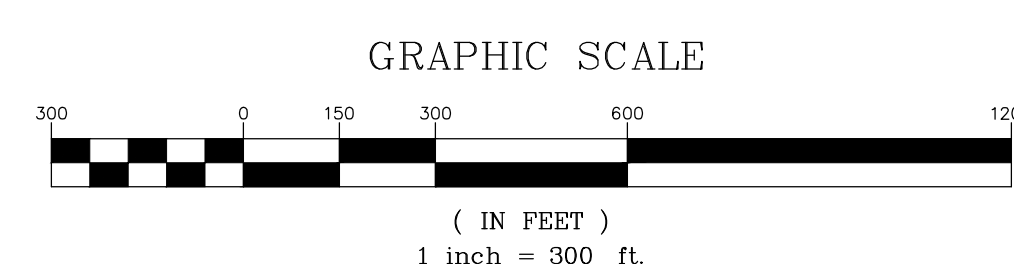
	REMAINING TRACTS
	EXISTING LOTS
	OPEN SPACE - EXISTING
	DEDICATED RIGHT OF WAY
	GOLF COURSE

PREPARED FOR
JLC MIRROR LAKE SUB 1, LLC
6300 POWERS FERRY RD NW
STE 600
ATLANTA, GA 30339

PREPARED BY
HAYES, JAMES & ASSOCIATES
4145 SHACKLEFORD ROAD
NORCROSS, GA 30093

REFERENCES:

1. Composite boundary based on survey completed by Hayes, James and Associates on various dates for Fairgreen Capital and other existing survey data prior to ALTA survey dated 12-11-2015.
2. No record of dedication of right-of-way was found for central portion of Mirror Lake Parkway.



Developed/Platted Land			
Pod	Dwelling Units/Acre	Acreage	Dwelling Units/Acre
Ashley Highlands	127	22.6	5.6
Ashley Place	106	30.1	3.5
Beacon Village	77	17.1	4.5
Bridgewater	60	29.8	2.0
Carrington	131	29.9	4.4
Chestnut Creek	37	19.0	1.9
Club Point	37	15.6	2.4
Gateway	11	4.4	2.5
Gold Creek	43	20.5	2.1
Golfside	34	18.2	1.9
Harmon Springs	59	21.0	2.8
Magnolia	63	14.4	4.4
Northwoods, Phase 1	49	14.3	3.4
Overlook	44	29.5	1.5
Park Place	9	5.1	1.8
Parkview	38	19.2	2.0
Hawthorne at Mirror Lake	250	21.6	11.6
Reflections	59	11.5	5.1
Somersport	93	24.4	3.8
South Harbour, Unit I	70	35.6	2.0
South Harbour, Unit IIA	48	26.3	1.8
Spyglass Hill	70	34.3	2.0
Stillwater	74	33.2	2.2
South Woods	148	37.6	3.9
The Falls	112	38.0	2.9
Watermist, Phase I	70	29.7	2.4
Woodside	63	21.5	2.9

TOTAL EXISTING: 1,982 LOTS

Undeveloped Portions of Land						
Pod	Min Lot Width (ft)	Land Use	Available Acreage (AC)	Min Lot Size (sft)	Dwelling Per Acre	Maximum Total Lots
Fairway 16 Area	50	Cluster	17.55	6,000-7,000	3.8	66
Fairway 17 Area	60	High Den.	41.16	7,500	3.7	152
Northwoods Phase II	70	Med. Res.	51.31	8,000	2.0	105
Northwoods Phase III	70	Med. Res.	66.39	8,000	2.3	154
South Harbour Unit IIB	90	Med. Res.	19.57	10,000	1.8	36
Tract One	n/a	MF	24.89	-	10.0	249
Tract Four & Five	50	High Den.	51.38	6,000	3.3	172
Watermist Phase IIA	70	Med. Res.	36.17	8,000	1.5	56
Watermist Phase IIB	70	Med. Res.	27.76	8,000	1.8	49
Watermist Phase III	n/a	MF	26.86	6,000	10.0	268

SINGLE FAMILY TOTAL PROPOSED : 790 LOTS
MULTIFAMILY TOTAL PROPOSED: 517 LOTS
MAXIMUM TOTAL PROPOSED: 1,307 LOTS

MAXIMUM TOTAL LOTS FOR MIRROR LAKE: 3,289 LOTS

GENERAL NOTES:

1. TRACT ONE DOES NOT INCLUDE STREAM BUFFER SQUARE FOOTAGE.
2. IF WATERMIST PHASE III IS DEVELOPED AS SINGLE FAMILY, THEN THE MINIMUM LOT SIZE SHALL BE 6,000 SFT.
3. AMENITIES FOR MULTI-FAMILY DEVELOPMENT SHOULD FOLLOW CURRENT ZONING ORDINANCE REQUIREMENTS.
4. UNDEVELOPED LOT LAYOUTS SHOWN ON THIS MASTER PLAN ARE FOR INFORMATION ONLY. THEY REPRESENT THE POSSIBLE FUTURE GENERAL LAYOUT, BUT THE DENSITIES AND LOT SIZE SHOULD BE ACCORDING TO THE CHART AND THE APPROVED MASTER PLAN NARRATIVE.
5. DECLARANT WILL PROVIDE TWO AMENITY LOCATIONS WITHIN THE MIRROR LAKES COMMUNITY.
AMENITY AREA (AA) NUMBER 1 SHALL BE LOCATED WITHIN THE RESIDENTIAL AREA REFERRED TO ON THE REVISED MASTER PLAN AS NORTHWOODS PHASE 2. AA NUMBER 1 SHALL INCLUDE A POOL, CABANA STYLE FACILITY TO INCLUDE EXERCISE ROOM AND PARTY ROOM, PICKLEBALL COURTS AND BOCCIE BALL LANES.
AA NUMBER 2 SHALL BE LOCATED WITHIN THE RESIDENTIAL AREA REFERRED TO ON THE REVISED MASTER PLAN AS FAIRWAY 16 OR FAIRWAY 17. SAID AA SHALL BE DEVELOPED FOR THE PURPOSE OF PROVIDING A BUILDING SUITABLE FOR COMMUNITY EVENTS. BUILDING STANDARDS FOR THIS FACILITY SHALL BE EQUAL TO OR GREATER THAN THE EXISTING AMENITY FACILITIES WITHIN THE MIRROR LAKES COMMUNITY.
DECLARANT RESERVES THE RIGHT TO RELOCATE THE AMENITIES SITE NUMBER 1, PROVIDED SAID SITE REMAINS WITHIN THE NORTHWOOD COMMUNITY.
DECLARANT RESERVES THE RIGHT TO RELOCATE THE AMENITY SITE NUMBER 2, PROVIDED SAID SITE REMAINS WITHIN FAIRWAY 16 OR FAIRWAY 17 AREAS.

WATERMIST PHASE III

TRACT FOUR & FIVE aka NALLEY RD TRACT 51.381Ac

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MIRROR LAKE
Planned Unit Development
Master Plan

6/2/2021 (Rev. 07/07/2021)

This document is intended to compile information for future development within the Mirror Lake planned unit development (PUD) community. This includes the general design standards that each future node will follow as they are developed. It also includes detailed information regarding the façade and other requirements for the design and development of the houses.

The nodes included in this document and as shown on the Master Plan are as follows:

Fairway 16

Fairway 17

Northwoods – Phase II

Northwoods – Phase III

South Harbour – Unit IIB

Tract One

Tract Four and Five

Watermist – Phase IIA

Watermist – Phase IIB

Watermist – Phase III

General Provisions for the development are provided at the end of the document.

Fairway 16 Node

- The maximum number of proposed lots = 66 single family detached lots
- The lots to be a minimum width of 50 feet on both concept plan options.
- The total area is 17.55 acres.
- Approximately 3.8 dwellings per acre.
- The setbacks proposed are:
 - Front Setback = 20 feet
 - Side Setback = 5 feet
 - Rear Setback = 15 feet
 - House Separation Minimum = 10 feet
- The minimum heated square footage for the houses is as follows:
 - Senior Living Concept:
6,000 sf min. lot size with 1,500 sf min. house size
 - Non-Senior Living Concept:
7,000 sf min. lot size with 1,700 sf min. ranch plan and 2,000 sf min. two-story plan
Average House Square Footage Non-Senior Living Concept for two-story plan is 2,200 sf or greater.
- The houses will meet the below specifications:
Minimum front façade of 25% brick, stone, or stucco.
 - Exterior Façade Material:
 - Full-depth brick
 - Natural or cast stone
 - Smooth natural-wood siding and/or cement-based siding
 - Shake siding
 - If combined: horizontally, with the heavier below the lighter
 - No exterior blank, windowless walls will be constructed.
 - Roofs may be shingles, tiles, or metal.
 - Roof shingles will be slate, cedar, or asphalt.
 - Front gables may use painted fish-scale style shingles
 - Roof tiles will be clay, terra cotta, or concrete.
 - Roofs shall have a 12" overhang past the façade of the house.
 - Gutters and downspouts to match. They are to be copper, aluminum, or galvanized steel.
 - Chimneys:
 - Wrapped in brick, stone, or suitable masonry finish material.
 - Shall begin at grade (for exterior walls) and
 - Extend between 3 and 6 feet above the roofline
 - If dormers are included, they will not be taller than the main roof.
- The house plans will have front or side loaded garages.
- Driveway width to be a minimum of 18 feet wide and two car garage.
- Street lighting will be provided throughout the development.
- Sidewalks will be provided throughout the development on at least one side of internal streets.
- All mechanical units will be screened from the right-of-way with landscaping.

Old: 78lots*42ft=3276ft of road frontage New=3276ft/50ft=66lots

Fairway 17 Node

- The maximum number of proposed lots = 152 single family detached lots
- The lots to be a minimum width of 60 feet. The minimum lot size to be 7,500 sf.
- The total area is 41.16 acres.
- Approximately 3.7 dwellings per acre.
- The setbacks proposed are:
 - Front Setback = 20 feet
 - Side Setback = 5 feet
 - Rear Setback = 15 feet
 - House Separation Minimum = 10 feet
- The minimum heated square footage for the houses is as follows:
 - Ranch Plan = 1,750 sf minimum.
 - Two-story Plan = 2,200 sf minimum.
 - Average Square Footage 2,350 sf.
- The houses will meet the below specifications:

Minimum front façade 25% brick, stone, or shake.

 - Exterior Façade Material:
 - Full-depth brick
 - Natural or cast stone
 - Smooth natural-wood siding and/or cement-based siding
 - Shake siding
 - If combined: horizontally, with the heavier below the lighter
 - No exterior blank, windowless walls will be constructed.
 - Roofs may be shingles, tiles, or metal.
 - Roof shingles will be slate, cedar, or asphalt.
 - Front gables may use painted fish-scale style shingles
 - Roof tiles will be clay, terra cotta, or concrete.
 - Roofs shall have a 12" overhang past the façade of the house.
 - Gutters and downspouts to match. They are to be copper, aluminum, or galvanized steel.
 - Chimneys:
 - Wrapped in brick, stone, or suitable masonry finish material.
 - Shall begin at grade (for exterior walls) and
 - Extend between 3 and 6 feet above the roofline
 - If dormers are included, they will not be taller than the main roof.
- The house plans will have front or side loaded garages.
- Driveway width to be a minimum of 18 feet wide and two car garage.
- Street lighting will be provided throughout the development.
- Sidewalks will be provided throughout the development on at least one side of internal streets.
- All mechanical units will be screened from the right-of-way with landscaping.

Old: 190 lots at 6000 sft
New = 7500 sft
Ratio = 6000/7500 = 0.8
0.8*190 = 152 lots

Northwoods Node – Phase II

- The maximum number of proposed lots = 105 single family detached lots
- The lots to be a minimum width of 70 feet. The minimum lot size to be 8,000 sf.
- The total area is 51.31 acres.
- Approximately 2.0 dwellings per acre.
- The setbacks proposed are:
 - Front Setback = 25 feet
 - Side Setback = 5 feet
 - Rear Setback = 20 feet
 - House Separation Minimum = 10 feet
- The minimum heated square footage for the houses is as follows:
 - Ranch Plan = 1,800 sf minimum
 - Two-story Plan = 2,400 sf minimum
 - Average Square Footage of 2,450
- The houses will meet the below specifications:

Minimum front façade 33% brick, stone, or stucco.

 - Exterior Façade Material:
 - Full-depth brick
 - Natural or cast stone
 - Smooth natural-wood siding and/or cement-based siding
 - Shake siding
 - If combined: horizontally, with the heavier below the lighter
 - No exterior blank, windowless walls will be constructed.
 - Roofs may be shingles, tiles, or metal.
 - Roof shingles will be slate, cedar, or asphalt.
 - Front gables may use painted fish-scale style shingles
 - Roof tiles will be clay, terra cotta, or concrete.
 - Roofs shall have a 12" overhang past the façade of the house.
 - Gutters and downspouts to match. They are to be copper, aluminum, or galvanized steel.
 - Chimneys:
 - Wrapped in brick, stone, or suitable masonry finish material.
 - Shall begin at grade (for exterior walls) and
 - Extend between 3 and 6 feet above the roofline
 - If dormers are included, they will not be taller than the main roof.
- The house plans will have front or side loaded garages.
- Driveway width to be a minimum of 18 ft., two-car garage.
- Street lighting will be provided throughout the development.
- Sidewalks will be provided throughout the development on at least one side of internal streets.
- All mechanical units will be screened from the right-of-way with landscaping.

Old: 119 lots at 7000 sft

New = 8000 sft

Ratio = 7000/8000
=0.875

0.875*119 = 105 lots

Northwoods Node – Phase III

- The maximum number of proposed lots = 154 single family detached lots
- The lots to be a minimum width of 70 feet. The minimum lot size to be 8,000 sft.
- The total area is 66.39 acres.
- Approximately 2.3 dwellings per acre.
- The setbacks proposed are:
 - Front Setback = 25 feet
 - Side Setback = 5 feet
 - Rear Setback = 20 feet
 - House Separation Minimum = 10 feet
- The minimum heated square footage for the houses is as follows:
 - Ranch Plan = 1,800 sf minimum
 - Two-story Plan = 2,400 sf minimum
 - Average Square Footage 2,450 sf.
- The houses will meet the below specifications:

Minimum front façade 33% brick, stone, or stucco.

 - Exterior Façade Material:
 - Full-depth brick
 - Natural or cast stone
 - Smooth natural-wood siding and/or cement-based siding
 - Shake siding
 - If combined: horizontally, with the heavier below the lighter
 - No exterior blank, windowless walls will be constructed.
 - Roofs may be shingles, tiles, or metal.
 - Roof shingles will be slate, cedar, or asphalt.
 - Front gables may use painted fish-scale style shingles
 - Roof tiles will be clay, terra cotta, or concrete.
 - Roofs shall have a 12” overhang past the façade of the house.
 - Gutters and downspouts to match. They are to be copper, aluminum, or galvanized steel.
 - Chimneys:
 - Wrapped in brick, stone, or suitable masonry finish material.
 - Shall begin at grade (for exterior walls) and
 - Extend between 3 and 6 feet above the roofline
 - If dormers are included, they will not be taller than the main roof.
- The house plans will have front or side loaded garages.
- Driveway width to be a minimum of 18 ft., two-car garage.
- Street lighting will be provided throughout the development.
- Sidewalks will be provided throughout the development on at least one side of internal streets.
- All mechanical units will be screened from the right-of-way with landscaping.

Old: 176 lots at 7000 sft

New = 8000 sft

Ratio = $7000/8000$
=0.875

$0.875 \times 176 = 154$ lots

South Harbour Node – Unit IIB

- The maximum number of proposed lots = 36 single family detached lots
- The lots to be a minimum width of 90 feet. The minimum lot size to be 10,000 sf.
- The total area is 19.57 acres.
- Approximately 1.8 dwellings per acre.
- The setbacks proposed are:
 - Front Setback = 25 feet
 - Side Setback = 10 feet
 - Rear Setback = 30 feet
 - House Separation Minimum = 20 feet
- The minimum heated square footage for the houses is as follows:
 - Ranch Plan = 2,600 sf minimum
 - Two-story Plan = 3,000 sf minimum
 - Average Square Footage 3,100 sf.
- The houses will meet the below specifications:

Minimum whole house 100% brick, stone, or stucco; or 70% brick/stone and 30% shake on front and all sides.

 - Exterior Façade Material:
 - Full-depth brick
 - Natural or cast stone
 - Smooth natural-wood siding and/or cement-based siding
 - Shake siding
 - If combined: horizontally, with the heavier below the lighter
 - No exterior blank, windowless walls will be constructed.
 - Roofs may be shingles, tiles, or metal.
 - Roof shingles will be slate, cedar, or asphalt.
 - Front gables may use painted fish-scale style shingles
 - Roof tiles will be clay, terra cotta, or concrete.
 - Roofs shall have a 12” overhang past the façade of the house.
 - Gutters and downspouts to match. They are to be copper, aluminum, or galvanized steel.
 - Chimneys:
 - Wrapped in brick, stone, or suitable masonry finish material.
 - Shall begin at grade (for exterior walls) and
 - Extend between 3 and 6 feet above the roofline
 - If dormers are included, they will not be taller than the main roof.
- The house plans will have front or side loaded garages.
- Driveway width to be a minimum of 20 ft., two-car garage.
- Street lighting will be provided throughout the development.
- Sidewalks will be provided throughout the development on at least one side of internal streets.
- All mechanical units will be screened from the right-of-way with landscaping.

Tract One

- The maximum number of proposed individual housing = 249 multi-family units.
- If developed as a single-family development, minimum lot size is 6,000 sf.
- If developed as a townhomes, minimum unit width will be 20ft.
- The total area is 25.87 acres. Stream buffer area is approximately 0.98 acres.
- Stream Buffer square footage will be removed from density calculation
- Approximately 10.0 dwellings per acre.
- The minimum heated square footage for each apartment is 700 sf for a one bedroom, 850 sf for a two bedroom, and 1,100 sf for a three bedroom.
- The minimum Square Footage for Town Home unit is 1,500 sf.
- The apartment complex will meet the below specifications:
 - The building façade shall be detailed to avoid featureless building massing.
 - Façade walls must be a minimum of 40% masonry. Materials allowed include:
 - Stone
 - Wood clapboard siding
 - Brick
 - Stucco or “Drained: External Insulation and Finish System (<20%)”
 - Cement Fiber Board
 - Plane projections and detailing are encouraged to differentiate individual units.
 - Roofs to be 3D asphalt shingles, fiberglass shingles, tiles, slate, or standing-seam metal.
 - Roofs shall have a 12” overhang on all sides.
 - Roof to have variety of forms and articulation.
 - Pitched roof shall be 5:12 (rise:run)
 - Flat roof to have cornice or molding, and provide variety every 50 feet.
- Street lighting will be provided throughout the development.
- Sidewalks will be provided throughout the development with access to all units.
- All mechanical units and dumpsters will be screened from the right-of-way.
- If this site is developed as single-family homes or townhomes, developer will not be required to install amenities per current zoning ordinance for multi family zoned property.

Tract Four & Five

- The maximum number of proposed lots = 172 single family detached lots
- The lots to be a minimum width of 50 feet. The minimum lot size to be 6,000 sf.
- The total area is 51.38 acres.
- Approximately 3.3 dwellings per acre.
- The setbacks proposed are:
 - Front Setback = 20 feet
 - Side Setback = 5 feet
 - Rear Setback = 25 feet
 - House Separation Minimum = 10 feet
- The minimum heated square footage for the houses is 1,600 sf.
Average Square Footage = 1,650 sf.
- The houses will meet the below specifications:
 - Exterior Façade Material:
 - Full-depth brick
 - Natural or cast stone
 - Smooth natural-wood siding and/or cement-based siding
 - Shake siding
 - If combined: horizontally, with the heavier below the lighter
 - No exterior blank, windowless walls will be constructed.
 - Roofs may be shingles, tiles, or metal.
 - Roof shingles will be slate, cedar, or asphalt.
 - Front gables may use painted fish-scale style shingles
 - Roof tiles will be clay, terra cotta, or concrete.
 - Roofs shall have a 12" overhang past the façade of the house.
 - Gutters and downspouts to match. They are to be copper, aluminum, or galvanized steel.
 - Chimneys:
 - Wrapped in brick, stone, or suitable masonry finish material.
 - Shall begin at grade (for exterior walls) and
 - Extend between 3 and 6 feet above the roofline
 - If dormers are included, they will not be taller than the main roof.
- The house plans will have front or side loaded garages.
- Driveway width to be a minimum of 18 ft., two-car garage.
- Street lighting will be provided throughout the development.
- Sidewalks will be provided throughout the development on at least one side of internal streets.
- All mechanical units will be screened from the right-of-way with landscaping.
- The City will need a letter from Mirror Lake HOA that tract four and five will be admitted into the Mirror Lake HOA. Otherwise, these tracts will be required to provide their own HOA with the required amenities as defined by the new Zoning Ordinance relating to PUD zoning.

Watermist Node – Phase IIA

- The maximum number of proposed lots = 56 single family detached lots
- The lots to be a minimum width of 70 feet. The minimum lot size to be 8,000 sf.
- The total area of the Phase IIA node is 36.17 acres.
- Approximately 1.5 dwellings per acre.
- The setbacks proposed for the Phase IIA node are equivalent to the Watermist Phase 1:
 - Front Setback = 25 feet
 - Side Setback = 7.5 feet for ranch plan
= 10 feet for two-story plan
 - Rear Setback = 25 feet
 - House Separation Minimum = 15 feet for ranch plan
= 20 feet for two-story plan
- The minimum heated square footage for the houses is as follows:
 - Ranch Plan = 2,200 sf minimum
 - Two-story Plan = 2,600 sf minimum
 - Average Square Footage 2,750 sf.
- The houses will meet the below specifications:

Minimum front façade of 33% brick, stone, or stucco.

 - Exterior Façade Material:
 - Full-depth brick
 - Natural or cast stone
 - Smooth natural-wood siding and/or cement-based siding
 - Shake siding
 - If combined: horizontally, with the heavier below the lighter
 - No exterior blank, windowless walls will be constructed.
 - Roofs may be shingles, tiles, or metal.
 - Roof shingles will be slate, cedar, or asphalt.
 - Front gables may use painted fish-scale style shingles
 - Roof tiles will be clay, terra cotta, or concrete.
 - Roofs shall have a 12” overhang past the façade of the house.
 - Gutters and downspouts to match. They are to be copper, aluminum, or galvanized steel.
 - Chimneys:
 - Wrapped in brick, stone, or suitable masonry finish material.
 - Shall begin at grade (for exterior walls) and
 - Extend between 3 and 6 feet above the roofline
 - If dormers are included, they will not be taller than the main roof.
- The house plans will have front or side loaded garages.
- Driveway width to be a minimum of 20 ft., two-car garage.
- Street lighting will be provided throughout the development.
- Sidewalks will be provided throughout the development on at least one side of internal streets.
- All mechanical units will be screened from the right-of-way with landscaping.

Old: 63 lots at 7000 sft

New = 8000 sft

Ratio = 7000/8000
=0.875

0.875*63 = 56 lots

Watermist Node – Phase IIB

- The maximum number of proposed lots = 49 single family detached lots
- The lots to be a minimum width of 70 feet. The minimum lot size to be 8,000 sft.
- The total area of the Phase IIA node is 27.76 acres.
- Approximately 1.8 dwellings per acre.
- The setbacks proposed for the Phase IIA node are equivalent to the Watermist Phase 1:
 - Front Setback = 25 feet
 - Side Setback = 7.5 feet for ranch plan
= 10 feet for two-story plan
 - Rear Setback = 25 feet
 - House Separation Minimum = 15 feet for ranch plan
= 20 feet for two-story plan
- The minimum heated square footage for the houses is as follows:
 - Ranch Plan = 2,200 sf minimum
 - Two-story Plan = 2,600 sf minimum
 - Average Square Footage is 2,750 sf
- The houses will meet the below specifications:

Minimum front façade of 33% brick, stone, or stucco.

 - Exterior Façade Material:
 - Full-depth brick
 - Natural or cast stone
 - Smooth natural-wood siding and/or cement-based siding
 - Shake siding
 - If combined: horizontally, with the heavier below the lighter
 - No exterior blank, windowless walls will be constructed.
 - Roofs may be shingles, tiles, or metal.
 - Roof shingles will be slate, cedar, or asphalt.
 - Front gables may use painted fish-scale style shingles
 - Roof tiles will be clay, terra cotta, or concrete.
 - Roofs shall have a 12" overhang past the façade of the house.
 - Gutters and downspouts to match. They are to be copper, aluminum, or galvanized steel.
 - Chimneys:
 - Wrapped in brick, stone, or suitable masonry finish material.
 - Shall begin at grade (for exterior walls) and
 - Extend between 3 and 6 feet above the roofline
 - If dormers are included, they will not be taller than the main roof.
- The house plans will have front or side loaded garages.
- Driveway width to be a minimum of 20 ft., two-car garage.
- Street lighting will be provided throughout the development.
- Sidewalks will be provided throughout the development on at least one side of internal streets.
- All mechanical units will be screened from the right-of-way with landscaping.

Old: 56 lots at 7000 sft

New = 8000 sft

Ratio = $7000/8000$
= 0.875

$0.875 * 56 = 49$ lots

Watermist Node – Phase III

- The maximum number of proposed individual housing = 268 multi-family units.
- Since the area is to be apartments, there will be no individual lots. If developed as a single-family development, minimum lot size is 6,000 sf.
- The total area of the Phase III node is 26.86 acres.
- Approximately 10.0 dwellings per acre for multi-family.
- The minimum heated square footage for each apartment is 750 sf for a one bedroom, 950 sf for a two bedroom, and 1,150 sf for a three bedroom.
- The apartment complex will meet the below specifications:
 - The building façade shall be detailed to avoid featureless building massing.
 - Façade walls must be a minimum of 40% masonry. Materials allowed include:
 - Stone
 - Wood clapboard siding
 - Brick
 - Stucco or “Drained: External Insulation and Finish System (<20%)”
 - Cement Fiber Board
 - Plane projections and detailing are encouraged to differentiate individual units.
 - Roofs to be 3D asphalt shingles, fiberglass shingles, tiles, slate, or standing-seam metal.
 - Roofs shall have a 12” overhang on all sides.
 - Roof to have variety of forms and articulation.
 - Pitched roof shall be 5:12 (rise:run)
 - Flat roof to have cornice or molding, and provide variety every 50 feet.
- Street lighting will be provided throughout the development.
- Sidewalks will be provided throughout the development with access to all units.
- All mechanical units and dumpsters will be screened from the right-of-way.
- Amenity Area will be installed in accordance with current zoning ordinance.

General Provisions

1. In the event of a conflict between these requirements and any current or future versions of the City's Zoning Ordinance, these requirements control.
2. A total number of 790 single family units and 517 multi-family units will be added to the existing Master Plan.
3. These revised development standards and accompanying map supersede any and all prior PUD approvals or maps of this development.
4. The Site Plan prepared by Hayes, James dated June 2, 2021 is incorporated into this PUD approval.
5. To facilitate City approval of future development of each pod, the following shall be required:
 - a. Submittal of a site plan by the developer/builder, which complies with the site plan requirements set forth in the Villa Rica Zoning Ordinance.
 - b. Review and approval by the Planning Commission if site plan complies with these regulations.
 - c. In the event the Planning Commission does not approve the site plan, then the developer may either revise it or appeal the denial to the City Council.
6. Declarant will provide two additional amenity locations within the Mirror Lakes community. Amenity Area (AA) number 1 shall be located within the residential area referred to on the revised master plan as Northwood Phase 2.

AA number one shall include a pool, cabana style facility to include exercise room and party room, pickleball courts and bocce ball lanes.

Amenity Area number 2 shall be located within the residential area referred to on the revised master plan as Fairway 16 or Fairway 17. Said AA shall be developed for the purpose of providing a building suitable for community events. Building standards for this facility shall be equal to or greater than the existing amenity facilities within the Mirror Lakes community.
7. Declarant reserves the right to relocate the amenities site number 1, provided said site remains within the Northwood community.

Declarant reserves the right to relocate amenity site number 2 provided said site remains within Fairway 16 or Fairway 17 areas.



CITY OF VILLA RICA

City Council Packet

SUBJECT: Izhaan LLC dba Junior Food Store

CITY COUNCIL AGENDA DATE: July 29, 2021

DATE: July 26, 2021

PREPARED BY: Nyree Simpson, Licensing and Permitting Specialist

FISCAL IMPACT: None

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: To allow retail sales of packaged beer and wine; (no onsite consumption allowed) at 516 Dallas Highway, Villa Rica, GA 30180.

BACKGROUND: The applicant has complied with the Ordinance in regard to the legal notification requirements, and has successfully passed the background check conducted by the Villa Rica Police Department. There are no location zoning restrictions that would hinder the issuance of the license. Currently, there's an active alcohol permit for this location, and there's been a history of said license for the past several years. The reasoning for this new application is due to change of ownership.

STAFF RECOMMENDATION: Approval

IMPACT: None

MOTION: I make a motion to approve the alcoholic beverage application for Junior Food Store, located at 516 Dallas Highway, Villa Rica, GA 30180.



Public Hearing Date
City Council: August 10, 2021

Request: Alcohol Beverage Permit

Project Description: Retail Package Malt Beverages (Beer) & Wine

Applicant: Izhaan LLC dba Junior Food Store
Licensee: Malik Hakani
2025 Seneca Creek Drive, Cumming, GA 30041

Location: 516 Dallas Highway, Land Lot 192, 6th District, Carroll County, Ward 3

Parcel Number(s): V04 0050018

Current Zoning: C1

Current Land Use: Commercial

Location and Zoning Requirements:

The Alcohol Beverage Ordinance regulates location and zoning statues of the property proposed for serving alcohol as follows:

Sec. 3-46. Zoning Restriction

No retail license shall be granted under this chapter unless the premises to be licensed are, at the time the application is approved by the mayor and council, located under the planning and zoning ordinance of the city in a non-residential zoning district subject to the specific limitation of the respective districts.

The subject property is zoned C (Commercial).

Sec. 4-70. Proximity Restrictions:

No premises shall be licensed under this chapter whose location is within the following distances:

- (1) For the sale of any wine or malt beverage, within 300 feet of any church building, school building, school grounds, or college campus.*

Compliance: Yes

- (2) For the sale of any distilled spirits, within 300 feet of any church building and within 600 feet of any school building, educational building, school grounds, or college campus.*

Compliance: Yes

- (3) For the sale of any distilled spirits, wine, malt beverage, within 300 feet of an alcoholic treatment center owned and operated by the State of Georgia or any county or municipal government therein.*

Compliance: Yes

- (4) For the sale of any alcoholic beverage for consumption on the premises, within 300 feet of any housing authority property.*

Compliance: Yes

(5) No consumption-on-the-premises license shall be issued for any place of business which is located within 200 feet of a private single-family or two-family dwelling.

Compliance: **Yes**

Sec. 4-29 Investigation; Hearing:

In accordance to the City of Villa Rica Alcohol Beverage Ordinance, the Villa Rica Police Department (VRPD) investigated the applicant's background. As a result of the investigation, the VRPD revealed no conviction or records against the applicant's good moral character and fitness for a license.

Staff Comments:

The applicant has complied with the Ordinance with regard to the legal notification requirements, and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location restrictions that would hinder the issuance of the license.

Recommendation:

Planning Staff recommends **Approval** of the request by Izhaan LLC (Malik Hakani), for Retail Malt Beverages and Wine license at 516 Dallas Highway.

Public Response:

The applicant has posted a sign on the premises as well as a notice in the Times-Georgian, notifying the public of the application to obtain an alcoholic beverage license at the location.



Bobby C. Elliott, P.E.
Director of Community Development

Attachments:

1. Application
2. Public Notice of Sworn Statement
3. Affidavit of Publication
4. Commercial Lease



City of Villa Rica

Alcohol License Application

INSTRUCTIONS: Every question must be answered fully and correctly. If the space provided is not sufficient, answer the question on a separate sheet and indicate in that space that a separate sheet is attached. When completed, it must be dated, signed and verified under oath by the applicant and filed in person by the applicant with the **Office of the City Manager, Villa Rica City Hall, 571 West Bankhead Highway, Villa Rica, Georgia 30180**, together with all supporting documentation and a check for the required non-refundable application fee.

A license issued to an individual shall be issued in the name of the individual. A license issued to a Partnership shall be issued in the name of the Partnership and in the name of one of the partners who shall be the named Licensee. A license issued to a Corporation having as its principal business the sale of alcoholic beverages shall be issued in the name of the Corporation and in the name of the majority Stockholder or a Principal Officer of the Corporation; and such majority Stockholder or Officer shall be the named Licensee. A license issued to a Corporation having as its principal business an activity other than the sale of alcoholic beverages shall be issued in the name of the Corporation and in the name of the Officer or Employee of the Corporation primarily responsible for the operation of the licensed premises; and such Officer or Employee shall be named the Licensee.

NON-REFUNDABLE APPLICATION FEE

Package Beer	\$100.00	Pouring Restaurant – All	\$100.00	Pouring Supper Club	\$500.00
Package Wine	\$100.00	Pouring Beer & Wine	\$100.00	Supper Club Wine & Beer	\$500.00
Wine Tasting	\$100.00	Wholesale Dealer	\$500.00	Alcohol Catering	\$100.00
Growler	\$100.00	Wine & Craft Beer Boutique	\$100.00	Special Event	\$100.00

TYPE OF LICENSE/Annual License Fee (Check One Only)

- | | |
|--|------------|
| ☒ Retail Package Malt Beverages & Wine | \$300.00 |
| ☐ Retail Package Malt Beverage | \$200.00 |
| ☐ Pouring License Restaurant | \$3,500.00 |
| ☐ Pouring License Private Club | \$5,000.00 |
| ☐ Pouring License Private Club | \$3,500.00 |
| ☐ Growler License (In Conjunction with Retail Package Malt Beverage & Wine License) | \$200.00 |
| ☐ Retail Package Wine | \$100.00 |
| ☐ Limited Pouring License Restaurant | \$500.00 |
| ☐ Limited Pouring License Supper Club | \$3,000.00 |
| ☐ Limited Pouring License Private Club | \$500.00 |
| ☐ Alcohol Catering (In Conjunction with Limited Pouring License – Restaurant) | \$500.00 |
| ☐ Wine Tasting (In Conjunction with Retail Package Wine License) | \$100.00 |
| ☐ Wine & Craft Beer Boutique | \$500.00 |

TYPE OF OUTLET

- | |
|--|
| ☒ Retail Package Sales |
| ☐ Restaurant |
| ☐ Special Event |
| ☐ Supper Club |
| ☐ Private Club |
| ☐ Wine & Craft Beer Boutique |

PART I

1. Type of Ownership

☐

Individual

☐

Partnership

☒

Corporation

(A) If Individual, give full name and address of owner:

Malik Hakani 2025 Seneca Creek dr, Cumming
Full Name Address GA 30041

(B) If Corporation/Partnership, give Corporate/Partnership name:

Izhaan LLC

Federal Tax ID: 85-4170485

Malik Hakani 100%
Name, Percent Interest and Legal Address of Principle Stockholders and Corporate Officers or Partners:

Full Name	Address	% Interest
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Full Name	Address	% Interest
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Full Name	Address	% Interest
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Full Name	Address	% Interest
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Describe the principle business of the Corporation/Partnership:

Convenience Store with gas station.

Full Name, Legal Residence and Social Security Number and the Named Licensee (a) Individual
(b) Principal Officer/Employer (c) Partner, each partner must be a Named Licensee:

Malik Hakani 2025 Seneca Creek dr, Cumming GA
Full Name Address 30041

2. Is the above address your legal and bona-fide place of domicile? ☒ Yes ☐ No

3. Trade Name of business for which application is made:

Izhaan LLC

4. Address of business for which application is made:

516 Dallas Hwy, Villa Rica, GA 30180

Phone Number:

7704593552

Business

4049937465

Home

Mailing Address:

516 Dallas Hwy, Villa Rica, GA 30180

If additional space is required, please attached to this application, noting the section to which it refers.

PART II

1. Will the proposed outlet have live entertainment? ☐ Yes ☒ No
(If yes, describe how often and what type in detail)

2. Have you obtained a copy of the City of Villa Rica Alcohol Beverage Ordinance?
☒ Yes ☐ No

No application will be processed until receipt of a copy of this ordinance is acknowledged.

3. Have you included with this application a check for the non-refundable application fee required by Chapter 3 of the Alcohol Beverage Ordinance in the City of Villa Rica?
☒ Yes ☐ No

4. As required by Chapter 4 of the Alcoholic Beverage Ordinance of the City of Villa Rica, have you included the following with this application? Please check the applicable answer(s):

- ☐ A copy of the Deed to the premises to be licensed, if owned by applicant.
☒ A copy of the Lease Agreement covering the premises to be licensed, if leased by the applicant.
☐ In the case of a Partnership, a copy of the Partnership Agreement.
☐ In the case of a Corporation, a copy of the Articles of Incorporation.
☐ A current stamped certificate from a registered surveyor which shows a scale drawing of the premises and the location at which the applicant desires to operate an alcoholic beverage outlet and which shows, with linear foot measurements where appropriate, such location's compliance or non-compliance with the provisions of Chapter 3 of the Alcoholic Beverage Ordinance of the City of Villa Rica.

5. Have you confirmed with the City of Villa Rica Community Development Department that the location of the proposed outlet is in a zoning district that has been approved for the sale of alcoholic beverages subject to the specific limitations of the respective district as provided for in Chapter 3 of the Alcoholic Beverage Ordinance of the City of Villa Rica?

☒ Yes ☐ No

6. If applicable, have you received approval from the City of Villa Rica Building Official for any new construction, renovations, remodeling, etc. at the premise to be licensed?

☒ Yes ☐ No

7. If applicable, have you received an approved site plan from the City of Villa Rica for the location of the premises to be licensed? ☐ Yes ☒ No

8. If applicable, have you received a Carroll/Douglas County Health Department Food Service Permit and any other applicable local, state or federal permits, etc. required for a food service establishment?
☐ Yes ☒ No

9. Do you comply with the requirements of Regulation 560-2-2-38 below? ☒ Yes ☐ No
Neither a retail dealer or retail consumption dealer, whether licensed in this State or not, nor any of his employees or members of such retail dealers or retail consumption dealer's immediate family shall have, own or enjoy any ownership interest in, or partnership arrangement or other business association with the business of any wholesaler, manufacturer, producer, shipper, importer or broker.

10. Has the named Licensee and all other persons otherwise required, submitted themselves to the City of Villa Rica Police Department for fingerprinting and background check(s) as provided for in Chapter 3 of the Alcoholic Beverage Ordinance of the City of Villa Rica?
☒ Yes ☐ No

11. Has the named Licensee, any Partner(s), the Corporation or any Corporate Officer been:

- a. Convicted within the last ten (10) years of any felony or any misdemeanor involving moral turpitude? ☐ Yes ☒ No
- b. Any other misdemeanor within the past five (5) years? ☐ Yes ☒ No
- c. Denied or had revoked, within the past five (5) years, any license to sell alcoholic beverages issued by any government entity? ☐ Yes ☒ No
- d. Convicted of selling alcohol to a minor within the past three (3) years?
☐ Yes ☒ No

If the answer to any portion of question 11 is "yes," describe in detail and give date of occurrences:

12. Has any alcoholic beverage business in which the named Licensee, Partner(s), the Corporation or Corporate Officers holds or has held any financial interest, or are employed, or have been employed, ever been cited for any violation of the rules and regulations of the State Revenue Commissioner or any local ordinance/legislation relating to the sale or distribution of alcoholic beverage? ☐ Yes ☒ No

13. On behalf of the named Licensee, provide three (3) personal references (not relatives, former employers, fellow employees or school teachers) who are responsible, reputable adults, business or professional men or women, who have known the named Licensee during the past five (5) years. Include name, residence, business address and number of years known:

Zamir Jivani	3076 Hwy 81	Oxford CA	30054	15+
Name	Residence	Business Address	Number of Years Known	

Arif Panjwani	4180 Lawrenceville	GA	30047	15+
Name	Residence	Business Address	Number of Years Known	

Aziz Karani	709 Solive St	LA, CA	90014	
Name	Residence	Business Address	Number of Years Known	

14. Is the name Licensee a citizen of the U.S.? ☒ Yes ☐ No

India

Place of Birth

02/19/83

Date of Birth

PART III
VERIFICATION

State of Georgia, Carroll County

I, Malik Hakani, Licensee, do solemnly swear subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application are true and no false or fraudulent statement or answer is made herein to procure the granting of such license.

Malik Hakani
Applicants Signature (FULL NAME IN INK)

I hereby certify that Malik Hakani signed his/her name to the foregoing application after stating to me that he/she knew and understood all statements and answers made therein and, under oath actually administered by me, has sworn that said statements and answers are true.

This 18th day of May, 20 21.

Nyree Simpson My Commission Expires: December 3, 2021
Notary Public

(Seal)



STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF ORGANIZATION

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

Izhaan LLC

a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **12/07/2020** by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on **12/07/2020**.



Brad Raffensperger

Brad Raffensperger
Secretary of State

ARTICLES OF ORGANIZATION

Electronically Filed

Secretary of State

Filing Date: 12/7/2020 12:05:11 PM

BUSINESS INFORMATION

CONTROL NUMBER	20237245
BUSINESS NAME	Izhaan LLC
BUSINESS TYPE	Domestic Limited Liability Company
EFFECTIVE DATE	12/07/2020

PRINCIPAL OFFICE ADDRESS

ADDRESS	516 Dallas Hwy, Villa Rica, GA, 30180-1311, USA
----------------	---

REGISTERED AGENT

NAME	ADDRESS	COUNTY
Malik Hakani	2025 Seneca Dr, Cumming, GA, 30041, USA	Forsyth

ORGANIZER(S)

NAME	TITLE	ADDRESS
Malik Hakani	ORGANIZER	2025 Seneca Creek Dr, Cumming, GA, 30041, USA

OPTIONAL PROVISIONS

N/A

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE	Malik Hakani
AUTHORIZER TITLE	Member



City of Villa Rica

Application for Original Alcoholic Beverage License

Public Notice (Sign) Sworn Statement

I (we) Malik Hakani Izhaan LLC

Individual, Corporation or Partnership applying for license. If Corporation or Partnership, also list named Licensee.

Applicant(s) for an Alcoholic Beverage License in the City of Villa Rica, do solemnly swear, subject to criminal penalties for false swearing that I (we) have posted a notice (sign) at:

516 Dallas Hwy, Villa Rica GA 30180

Street Address

Which complies with all requirements of Chapter 3, of the Alcoholic Beverage Ordinance of the City of Villa Rica.

Malik Hakani

Applicant(s) Signature (FULL NAME IN INK)

I hereby certify that Malik Hakani signed his or her

Applicant

name to the foregoing statement after stating to me that he/she knew and understood all statements made therein, and, under oath actually administered by me, has sworn that said statement is true.

This 1 day of June, 20 21.

Whitney Cox

Notary Public



LEASE

1. PARTIES.

This Lease, executed this 6th day of January, 2021, is made by and between Rashesh Patel and Parul Patel ("Landlord") and Izhaan, LLC, a Georgia limited liability company ("Tenant").

2. LEASE OF PROPERTY/PREMISES.

Landlord hereby leases to Tenant and Tenant hereby leases from Landlord real property commonly known as 516 Dallas Road, Villa Rica, Georgia and being more particularly described in the Warranty Deed recorded with the Clerk of the Superior Court of Carroll County, Georgia in Deed Book 1131, Pages 552- 554 ("Property" or "Premises"). This Lease is subject to the terms, covenants and conditions herein set forth and each party covenants as a material part of the consideration for this Lease to keep and perform each and all of its terms, covenants and conditions.

3. LEASE TERM.

(a) The Lease Term shall commence as of the 1st day of January, 2021 and shall continue thereafter for sixty (60) months through the 31st day of December, 2025.

(b) Tenant may extend this lease beyond the lease term specified in subsection (a) on the following conditions:

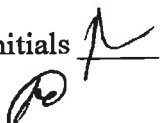
1. Tenant may, if it fully complies with this lease, extend the lease term for five years. The extended term will begin on the day following the expiration date of the lease term specified in subsection (a) above, and continue for three additional periods of the same length, each to begin on the day following the expiration date of the immediately preceding extended term. But if, at the date the original term or any extended term expires, Tenant is in default beyond any grace period provided in this lease in performing any terms of this lease, the remaining option or options are void. All the terms and covenants of this lease apply to all extended lease terms.

2. Tenant may exercise each option to extend this lease by giving Landlord notice of its intention to do so not later than 60 days before the lease term expires, in the case of the initial option to extend, or before the extended lease term expires, in the case of successive options to extend. Notice of an intention to exercise an option under this lease must, to be effective, be sent by certified or registered mail to Landlord at the address provided in this Lease and must be postmarked no later than the latest date provided in this section for Tenant to exercise the option.

4. RENTAL AMOUNTS.

(a) Tenant shall pay Landlord the Rent, without notice or demand, in advance, on or before the fifth (5th) day of each beginning in January 2021 and every successive calendar month during the Lease Term.

Landlord's Initials



Tenant Initials



31. BROKERS.

Tenant warrants that he has had no dealings with any real estate brokers or agents in connection with the negotiation of this Lease, and he knows of no other real estate broker or agent who is entitled to a commission in connection with this Lease.

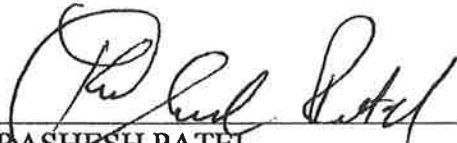
32. COMPLIANCE.

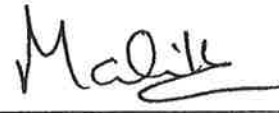
The parties hereto agree to comply with all applicable federal, state and local laws, regulations, codes, ordinances and administrative orders having jurisdiction over the parties, property or the subject matter of this Agreement, including, but not limited to, the 1964 Civil Rights Act and all amendments thereto, the Foreign Investment In Real Property Tax Act, the Comprehensive Environmental Response Compensation and Liability Act, and The Americans With Disabilities Act.

The parties hereto agree that they are not considered Specially Designated Nationals and Blocked Persons as determined by the Office of Foreign Assets Control.

LANDLORD:

TENANT:


RASHESH PATEL


IZHAAN, LLC
BY: MALIK HAKANI
ITS: SOLE MEMBER


PARUL PATEL

PERSONAL GUARANTY OF PAYMENT

The undersigned, Malik Hakani (hereinafter referred to as "Guarantor") requests that Rashesh Patel and Parul Patel (hereinafter referred to as "Landlord"), execute the Lease (hereinafter referred to as "Lease") dated the 6th day of January, 2021, with Izhaan, LLC (hereinafter referred to as "Tenant"), the terms of which Lease the undersigned is fully familiar with and are deemed incorporated herein by reference.

ARTICLE II. GUARANTY

In consideration of the Lease and of other good and valuable consideration, and in order to induce Landlord to execute the Lease with Tenant, the undersigned does hereby jointly and severally guarantee, absolutely and unconditionally, payment of all liabilities of Tenant to Landlord of whatever nature, whether now existing or hereinafter incurred and whether absolute or contingent and the full and prompt performance of all the terms, conditions, and obligations of the Lease

Landlord's Initials



18

Tenant Initials



STATE OF GEORGIA

COUNTY OF DOUGLAS

ASSET PURCHASE AGREEMENT

THIS ASSET PURCHASE AGREEMENT ("Agreement") is made and entered into this 6th day of January, 2021 with an effective date of the 1st day of January, 2021, by and among **PARAS INVESTMENT CORPORATION**, a Georgia corporation ("Seller") and **IZHAAN, LLC**, a Georgia limited liability company ("Buyer").

WHEREAS, Seller is engaged in operating Junior Food Store ("Business") located at 516 Dallas Road, Villa Rica, Georgia 30180 ("Premises"); and

WHEREAS, Seller desires to sell, and Buyer desires to purchase from Seller all title, ownership, interest, goodwill and stock in trade of the assets of the Business.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the receipt and sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

ARTICLE 1. PURCHASE OF ASSETS

1.1 Agreement to Purchase. Subject to the terms and conditions hereinafter set forth, Seller does hereby agree to sell to Buyer, and Buyer does hereby agree to purchase from Seller, as of the Closing (as defined below), all of the tangible and intangible personal property of Seller used or useful in the operation of the Business located at the Premises, and to also to include but not be limited to the following ("Assets"):

a. All tangible equipment, machinery, furniture, fixtures, business and office machines, office equipment, supplies, accessories and tooling, used or useful in the operation of the Business on the attached Exhibit "A";

b. All intangible or other assets of Seller used or useful in connection with the operation of the Business, including, but not limited to, all contract rights, goodwill, all customer accounts, customer records, customer lists and addresses, records of business transactions, and vendor/supplier lists and all information files;

c. All stock in the trade of the Business as of Closing; and

d. All rights to the current telephone number (770)459-3552.

1.2 Excluded Assets. For the purposes of certainty, the following assets shall be specifically excluded from the Assets being sold hereunder, whether or not they form part of the property and assets of the Business ("Excluded Assets"):

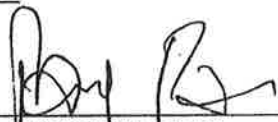
12.11 Further Assurances. Each of the parties hereto will from time to time at the other's request and expense and without further consideration, execute and deliver such other instruments of transfer, conveyance and assignment and take such further action as the other may require to more effectively complete any matter provided for herein.

12.12 Business Operation Prior to Closing. Notwithstanding anything to the contrary in this Agreement, Seller shall have full authority and power over the operation of the Business during the period of this Agreement. Seller shall retain control in its absolute discretion over the policies and operations of the Business until Closing.

12.13 Tax Free Exchange. Seller and Purchaser shall have the right to cause the Closing to occur as part of a "like-kind" exchange pursuant to the provisions of Section 1031 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder. Seller and Purchaser agree to cooperate with each other in effecting a qualifying like-kind exchange; provided, however, that said exchange shall be at no cost, expense or liability to the other party.

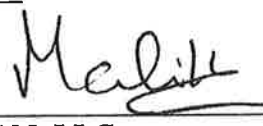
IN WITNESS WHEREOF, each of the parties hereto have executed this Agreement under seal as of the day and year above written.

SELLER:



PARAS INVESTMENT CORPORATION
BY: PARUL PATEL
ITS: CEO/CFO

BUYER:



IZHAAN, LLC
BY: MALIK HAKANI
ITS: MEMBER



CITY OF VILLA RICA

City Council Packet

SUBJECT: Traffic Loop Repairs on Mirror Lake Blvd and Shoreline Pkwy

CITY COUNCIL AGENDA DATE: August 10, 2021

DATE: July 29, 2021

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

FISCAL IMPACT:

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: GL Account # 321-4210-541410

PURPOSE: The purpose of this agenda item is to replace the traffic loops that were taken out with the milling of the Mirror Lake Boulevard/Conners Road intersection and the Shoreline Parkway/Mirror Lake Boulevard (Punkintown Road) intersection.

BACKGROUND: When preparing the asphalt paving contract, the traffic signals at the two intersections were thought to be operated by cameras when in fact they are on loop systems. When the asphalt milling was done, these traffic loops were ripped out. Since these two intersections were not slated for loop replacement in the contract, we had to hire a signal company to re-install them. Reedwick, LLC is a signal repair company located in the City Limits of Villa Rica at Conners Road and Veterans Memorial Highway. They maintain signals for GDOT and for Douglas County. They gave me a quote to replace the loops for \$13,000.00 but charged us \$12,500.00. Since this was an emergency repair we are asking Mayor and City Council to approve payment after repairs.

STAFF RECOMMENDATION: Staff recommends payment of \$12,500.00 to Reedwick, LLC.

IMPACT: GL Account # 321-4210-541410. Same as paving contract.

MOTION: I move to approve payment to Reedwick, LLC. in the amount of \$12,500.00 for the repairs of traffic loops at Mirror Lake Blvd/Conners Rd and Shoreline Parkway/Mirror Lake Blvd (Punkintown Rd) intersections.



Reedwick, LLC
P.O. Box 2140
Douglasville, GA 30133 US
+1 4047358764
matt_reedy@reedwick.com
<http://www.reedwick.com>

INVOICE

BILL TO

City of Villa Rica
571 W. Bankhead Hwy
VILLA RICA, GA 30180
United States

INVOICE # 1239

DATE 07/27/2021

DUE DATE 08/26/2021

TERMS Net 30

DESCRIPTION	QTY	RATE	AMOUNT
Traffic Control	1	500.00	500.00
Vehicle Detection:Loop - 6x40 Quad	8	1,500.00	12,000.00

Vendor ID: 4591

BALANCE DUE

\$12,500.00



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: July 13, 2021

DATE: June 22, 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 four variances for reduced front yard setbacks, reduced townhome widths, reduced building offset, and reduced distance between buildings in order to construct townhomes on a 21.74-acre vacant parcel.

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. On May 11th, 2021, the City Council approved application RA-01-21 for a rezoning from C2 to SFA at the request of the applicant, and the requested variances were tabled to the July 13th meeting because the applicant did not communicate reasonings or hardships necessitating the desired variances from Section 9.03. The applicant did, however, give reasons for the front yard setback and townhome width variances (to permit the proper construction of the proposed townhomes given the size and configuration of the property, and the demand exists for the number of units proposed and the requested variances will enable that demand to be met.). The applicant has now submitted additional information explaining their reasonings for the requests from Section 9.03.

STAFF RECOMMENDATION: Staff recommends denial of all variances.

PLANNING COMMISSION: Rezoning (Approved 3-2); Variance (N/A)

MOTION:

1. 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.
2. 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.

3. I move to deny the variance request from Rockhaven homes, LLC of Brookhaven, GA to reduce the building offset from adjacent buildings from 20' to 5'.
4. I move to deny the variance request from Rockhaven Homes, LLC of Brookhaven, GA to reduce the distance between buildings from 40' to 20'.



**AMENDMENT TO
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: _____

An exception to Section 9.03(2)(e) to permit offsets of buildings of 5 feet rather than 20 feet

An exception to Section 9.03(2)(d) to permit a distance of 20 feet between buildings

An exception to Section 4.06 to permit townhome widths of 20 feet rather than 24 feet

An exception to Section 4.06 to permit units 20 feet rather than 25 feet from right-of-way

(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, 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

By: [Signature]
Signature of Applicant

5-6-21
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 X

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 6 day of May, 2021.

ROCKHAVEN HOMES, LLC

Applicant's Name – Printed

[Signature]
Signature of Applicant

By: Brad Hughes, Member

Joseph H. Fowler, Esq.

Applicant's Attorney, if applicable – Printed

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

Sworn to and subscribed before me this 6th day of May, 2021.



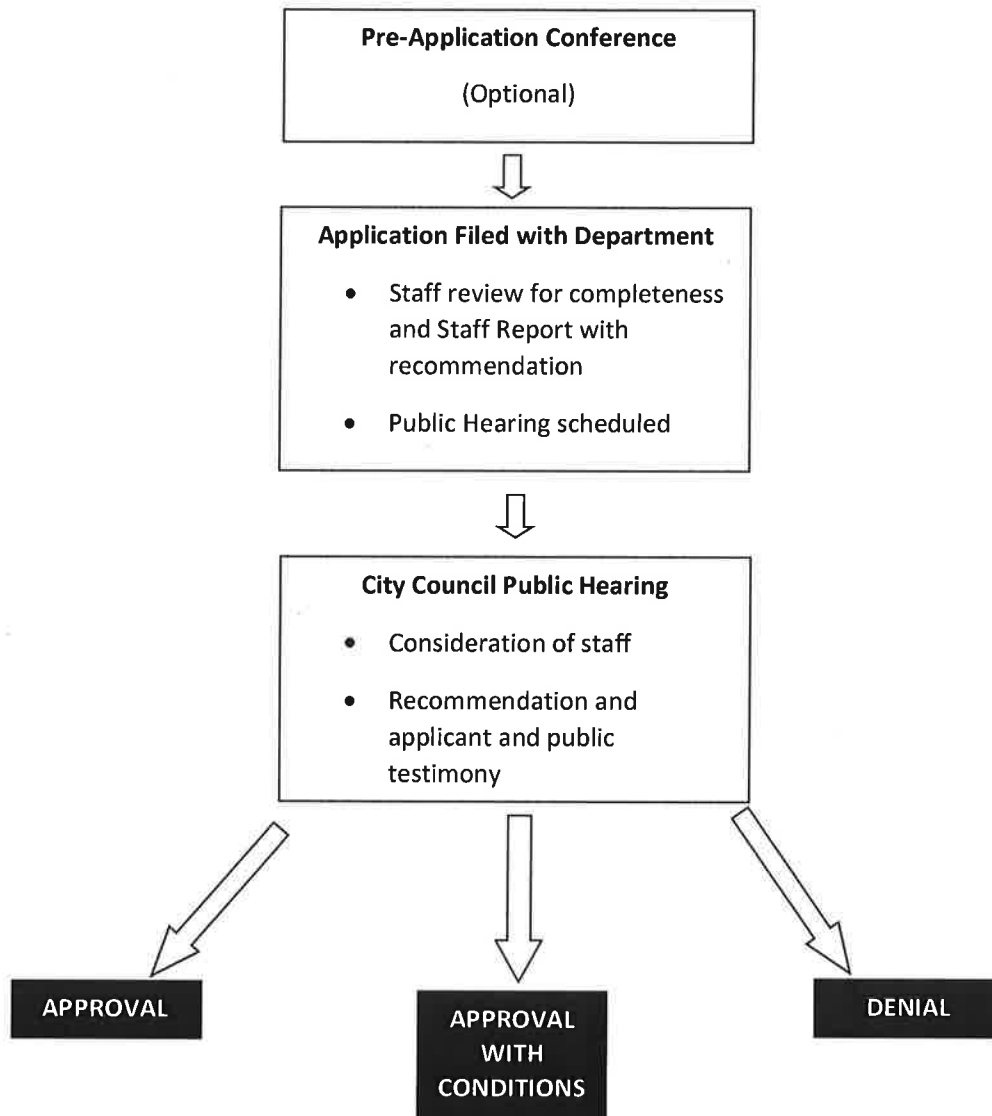
[Signature]
Notary Public

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

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: 1/8/2021

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

Developed by Schneider
GEOSPATIAL

4457 079

199045

002-2008-006945
 CARROLL COUNTY, GEORGIA
 REAL ESTATE TRANSFER TAX

PAID 0
 DATE 12-30-08

Kenneth H. Hannon
 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

Kenneth H. Hannon
 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 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

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.

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.



May 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 four variances for reduced front yard setbacks, reduced townhome widths, reduced building offsets and reduced distance between buildings. 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'.**



In addition to the above two sections, the applicant has 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.



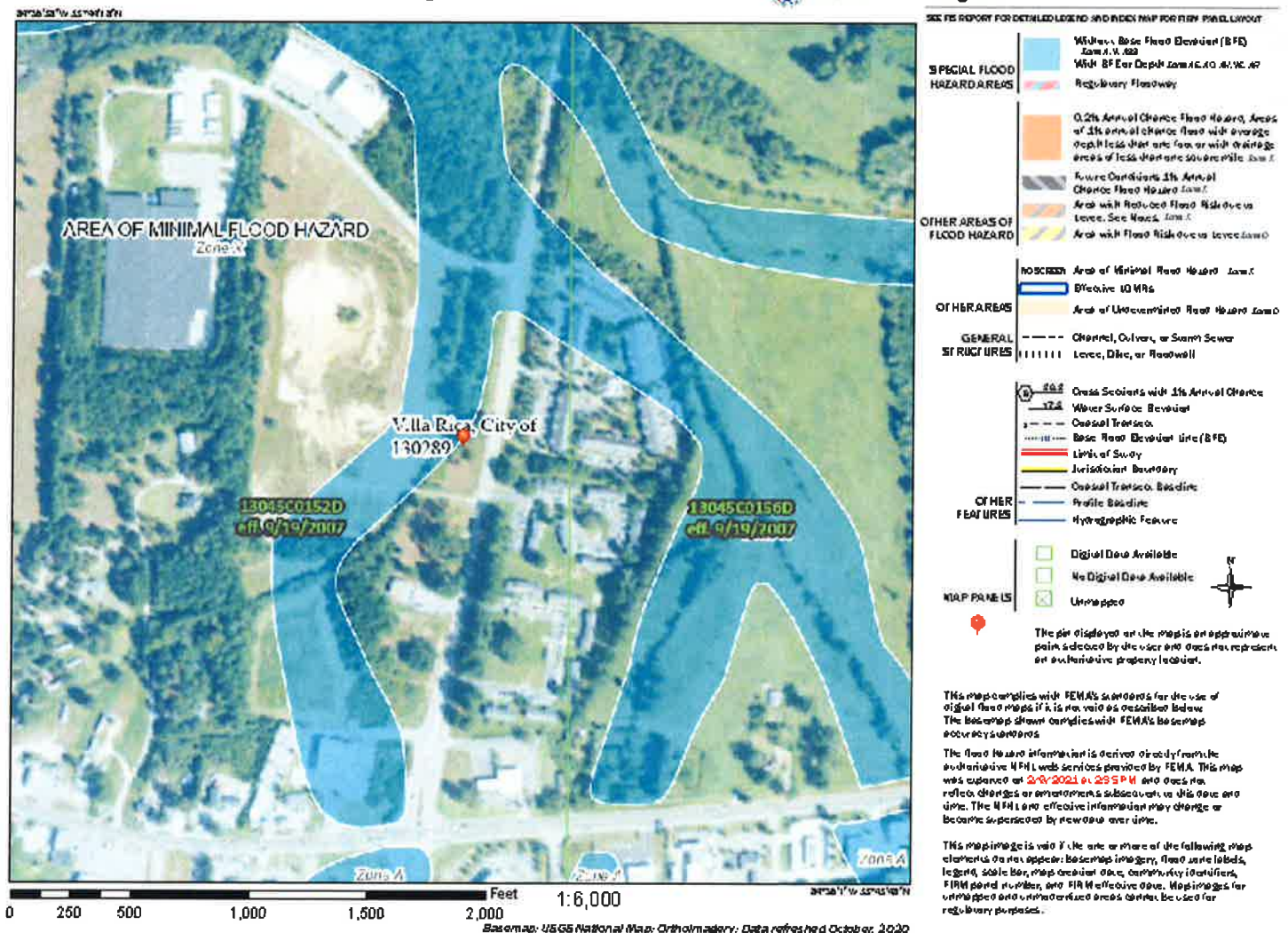
Density

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 and two subsections of Section 9.03 *Multifamily and Single-Family Attached Design Standards* for a total of four variances as outlined below. The applicant has indicated that the purpose of their request for relief from Section 4.06/Table 4.4 is to “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. The applicant has not offered any purposes for their relief from Section 9.03 nor any benefits any of the four variances will 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 (staff comments in **bold**):

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.

3. 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.**
4. 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 of applying for variance reliefs, the benefits of the variances being approved, 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 from Section 9.03. The request for all four variances 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
May 7, 2021
Page 16 of 18

Very truly yours,

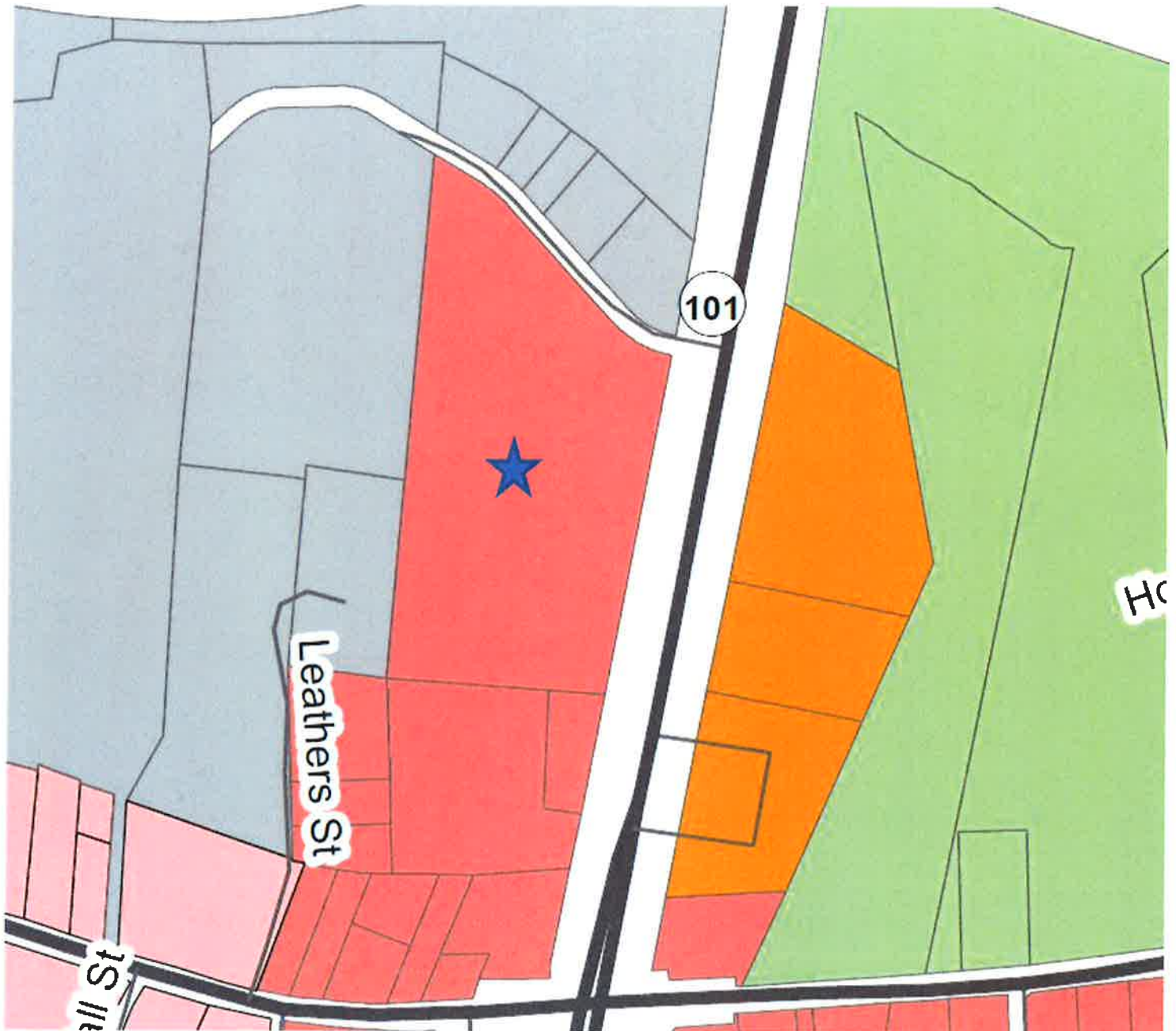
Ronald Johnson

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)



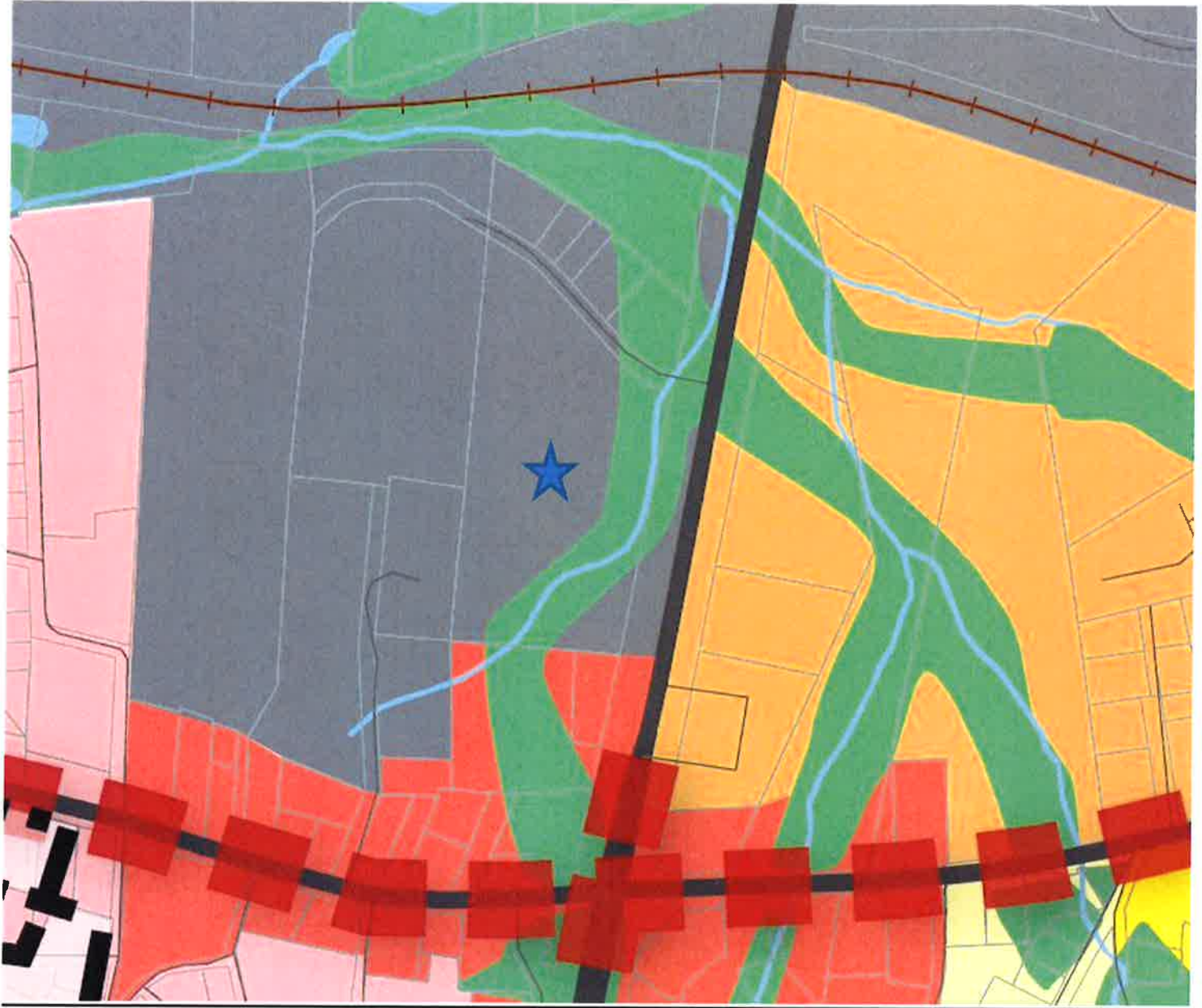
Zoning Map:

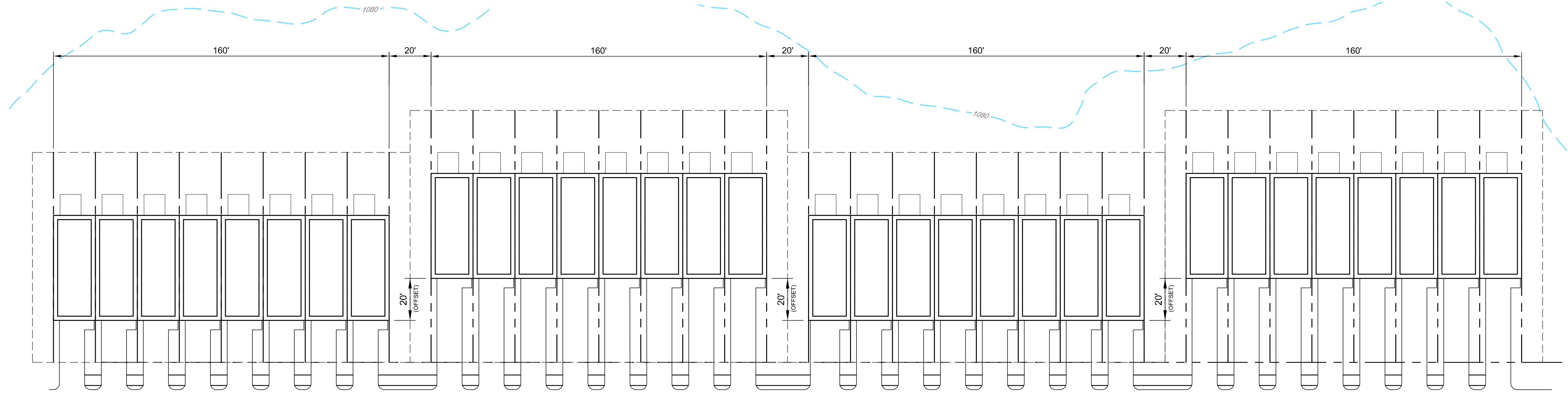




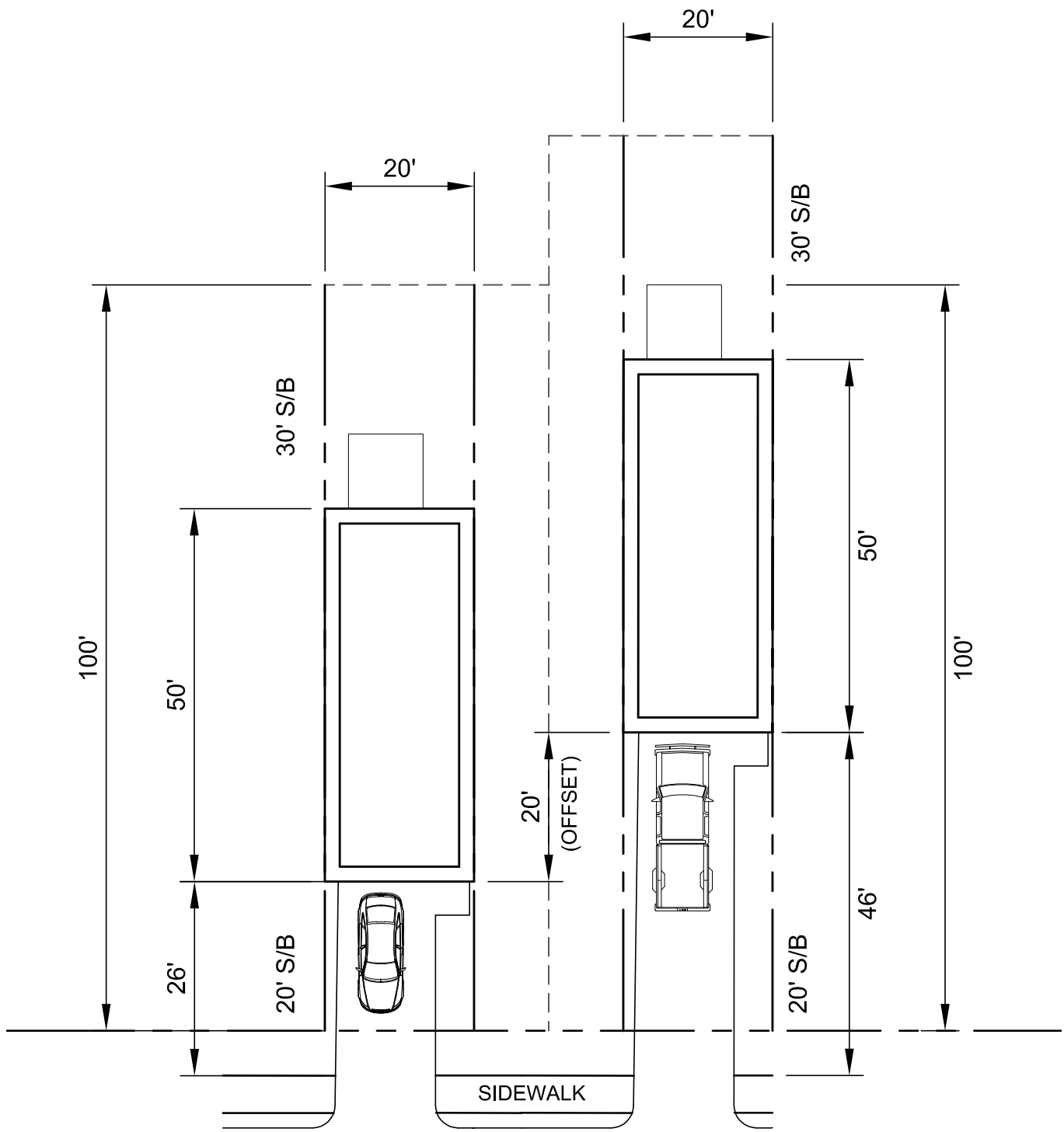
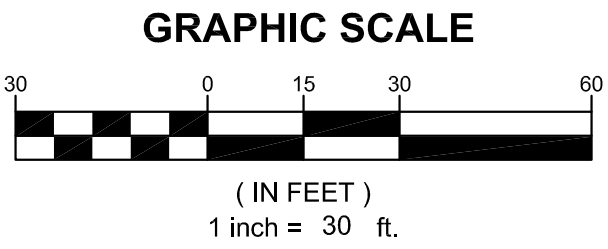
Industrial Blvd at Leggett Drive
RA-01-21 and VA-03-21
May 7, 2021
Page 18 of 18

Future Land Use Map:

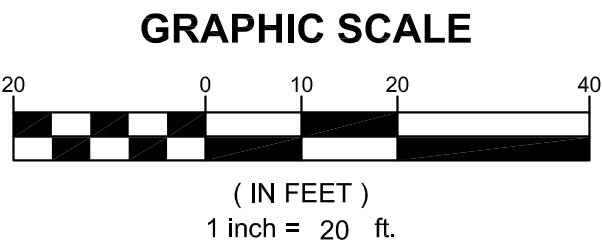




TYPICAL TOWNHOUSE LAYOUT SHOWING 20' OFFSETS
1" = 30'



TYPICAL TOWNHOUSE LAYOUT
1" = 20'



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PH: (770) 755-7979

CLAYTON OFFICE
500 PIRATE TERRY RD, STE. C
CLAYTON, GEORGIA 30440
PH: (770) 867-7340

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CONCEPT PLAN
FOR
CONCEPT PLAN
OFFSET EXHIBIT
LOCATED IN:
VILLA RICA, GA

DATE	REVISIONS
1.	
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7.	
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CAP. 204.411

DATE:	
SCALE:	1" = 20'
PROJ NUMBER:	136.014
DRAWN BY:	MT
REVIEWED BY:	JDL
REVISED BY:	

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ACROSS THE REGISTRANT'S SEAL.

SHEET NUMBER

1 OF 1

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)

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))

 $1'' = 40'$

PRELIMINARY (

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

0 30 60 120

CLARKSON DRIVE
SUNSHINE DRIVE

P:\Projects\Rockhaven Homes\136.014 Villa Rica Townhomes\PLANNING\CONCEPTS\CP141.dwg, jlee, May 28, 2020 - 12:11:15 PM

CONCEPT PLAN
FOR
VILLA RICA TOWNHOMES
LOCATED IN:
LAND LOTS 2, DISTRICT 2
VILLA RICA, GEORGIA

VILLA RICA, GEORGIA

CONCEPT PLAN
FOR
CA TOWN
LOCATED IN:

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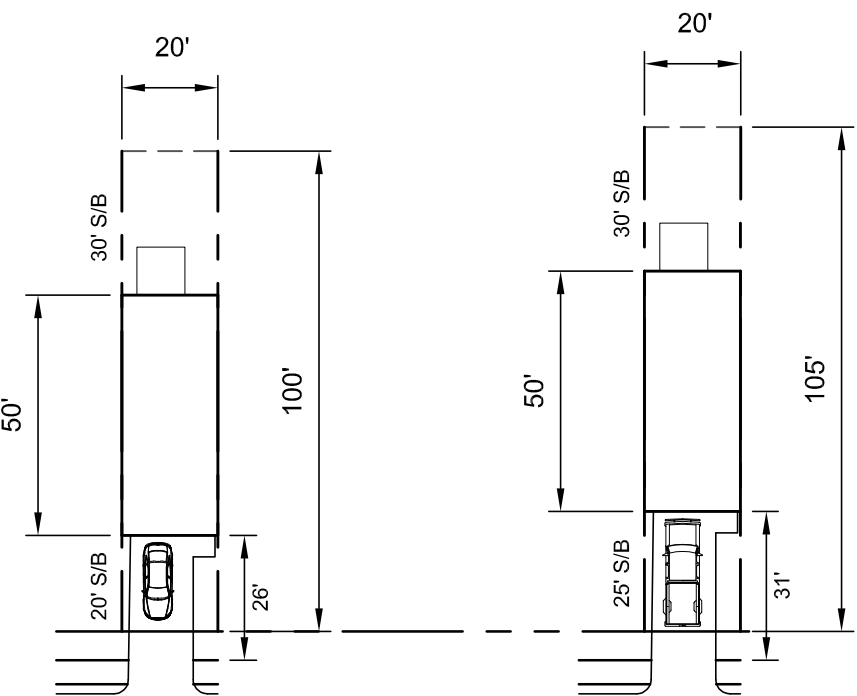
(IN FEET)
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TYPICAL UNIT SIZE: 20'x50' w/SINGLE-CAR GARAGE (VARIANCE REQUIRED)
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REAR S/B: 30'
SIDE S/B: 10', 20' BETWEEN BUILDINGS (VARIANCE REQUIRED, SECTION 9.03 (2), (D), & (E))



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.

PRELIMINARY (NOT FOR CONSTRUCTION)

GRAPHIC SCALE
0 30 60 120
(IN FEET)
1 inch = 60 ft.

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CONCEPT PLAN
FOR
VILLA RICA TOWNHOMES

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

REVISIONS

DATE	REVISIONS
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REVIEWED BY: JDL
REVISED BY:

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May 6, 2021

**PROPOSED REZONING ON PROPERTY BY
ROCKHAVEN HOMES, INC.
NOTICE OF CONSTITUTIONAL CHALLENGE**

BACKGROUND

Matthews & Redding, GP are the owners of land located on Industrial Boulevard at Leggett Drive in Villa Rica, GA, in Carroll County, Georgia (the “Property”) which is under contract to Rockhaven Homes, LLC (the “Applicant”). The Applicant has submitted an application for rezoning of the Property from C-2 to SFA by application dated January 7, 2021 for the construction of singly family fee simple attached townhomes on 21.74 acres, together with a request for variance to section 9.03(2)(e) to permit offsets of buildings of 5 rather than 20 feet, to section 9.03(2)(d) to permit a distance of 20 feet between buildings, to section 4/06 to permit townhome widths of 20 feet rather than 24 feet, and to section 4.06 to permit units 20 rather than 25 feet from the rights of way.

PROPOSED USE

The Applicant proposes to construction 210 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 the Code of Ordinances City of Villa Rica, together with subsequent amendments thereto, zoning the subject Property for C-2 purposes, 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 Applicant contends that to deny the SFA rezoning and associated variances 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 SFA rezoning and associated variances results in relatively little gain or benefit to the public while inflicting serious injury or loss on the Owner and the Applicant. To this extent, such action is confiscatory and void. The Property is best suited for SFA use, as proposed by the Applicant, and to leave the Property zoned C-s 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 and special use permit 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.

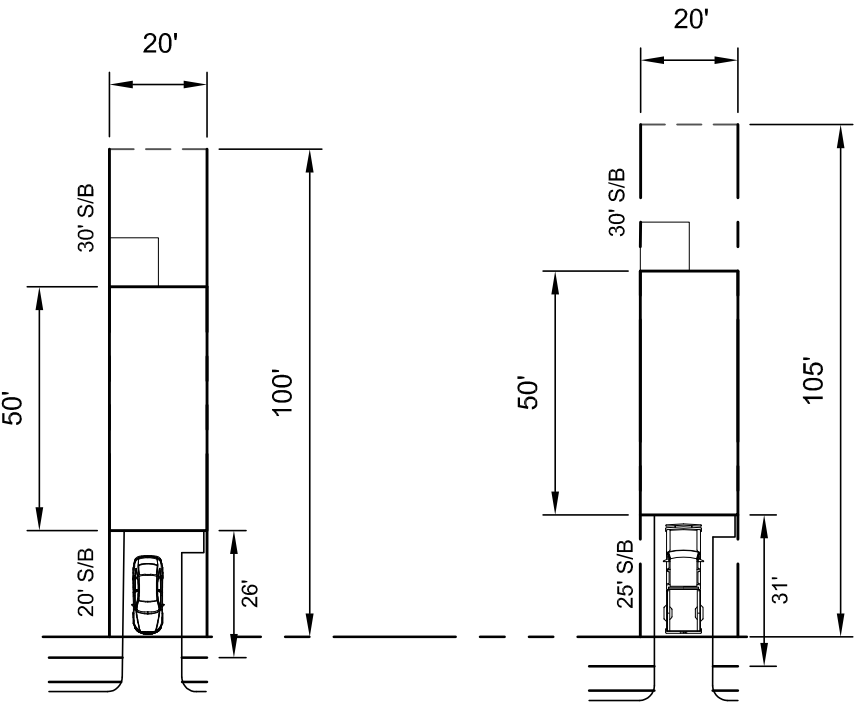
Accordingly, we respectfully urge your approval of the zoning request.

LAND USE SUMMARY

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NET ACREAGE: 18.32 AC
NET DENSITY: 11.4 du/ac
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SFA DEVELOPMENT STANDARDS

TYPICAL LOT SIZE: 20'x100'
TYPICAL UNIT SIZE: 20'x50' w/SINGLE-CAR GARAGE (VARIANCE REQUIRED)
FRONT S/B: 20' & 25' (5' REDUCTION, VARIANCE REQUIRED)
REAR S/B: 30'
SIDE S/B: 10', 20' BETWEEN BUILDINGS (VARIANCE REQUIRED, SECTION 9.03 (2), (D), & (E))
FACADE OFFSETS: 2' BACK FROM FRONT SETBACK. VARIES PER BUILDING.



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.

PRELIMINARY (NOT FOR CONSTRUCTION)

GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.

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CONCEPT PLAN
FOR
VILLA RICA TOWNHOMES

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

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DRAWN BY:	CMK
REVIEWED BY:	JDL
REVISED BY:	

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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

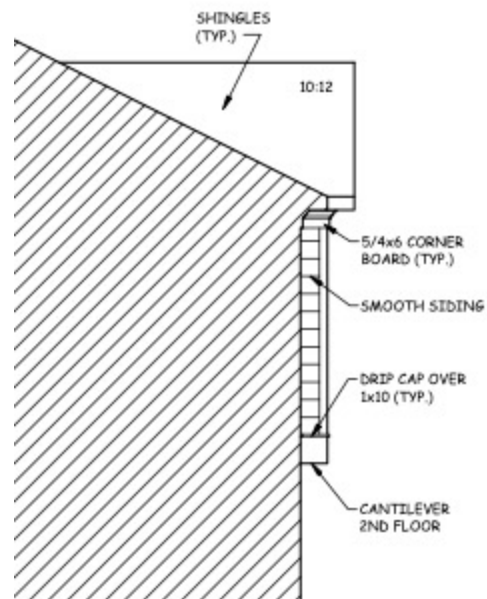
[Signature]
Signature of Applicant's Attorney (If applicable)

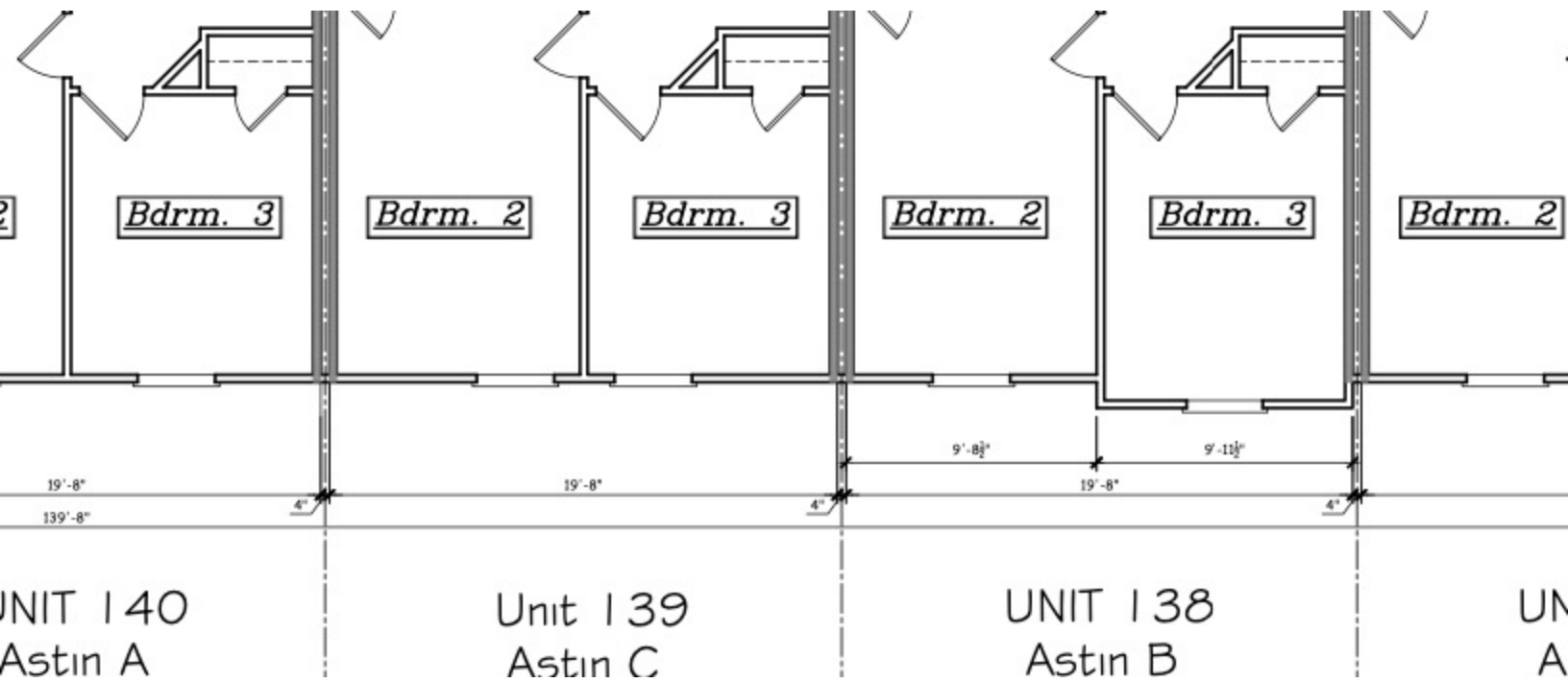
Sworn to and subscribed before me this 5th day of January, 2021.

Susan E. Selby
Notary Public

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







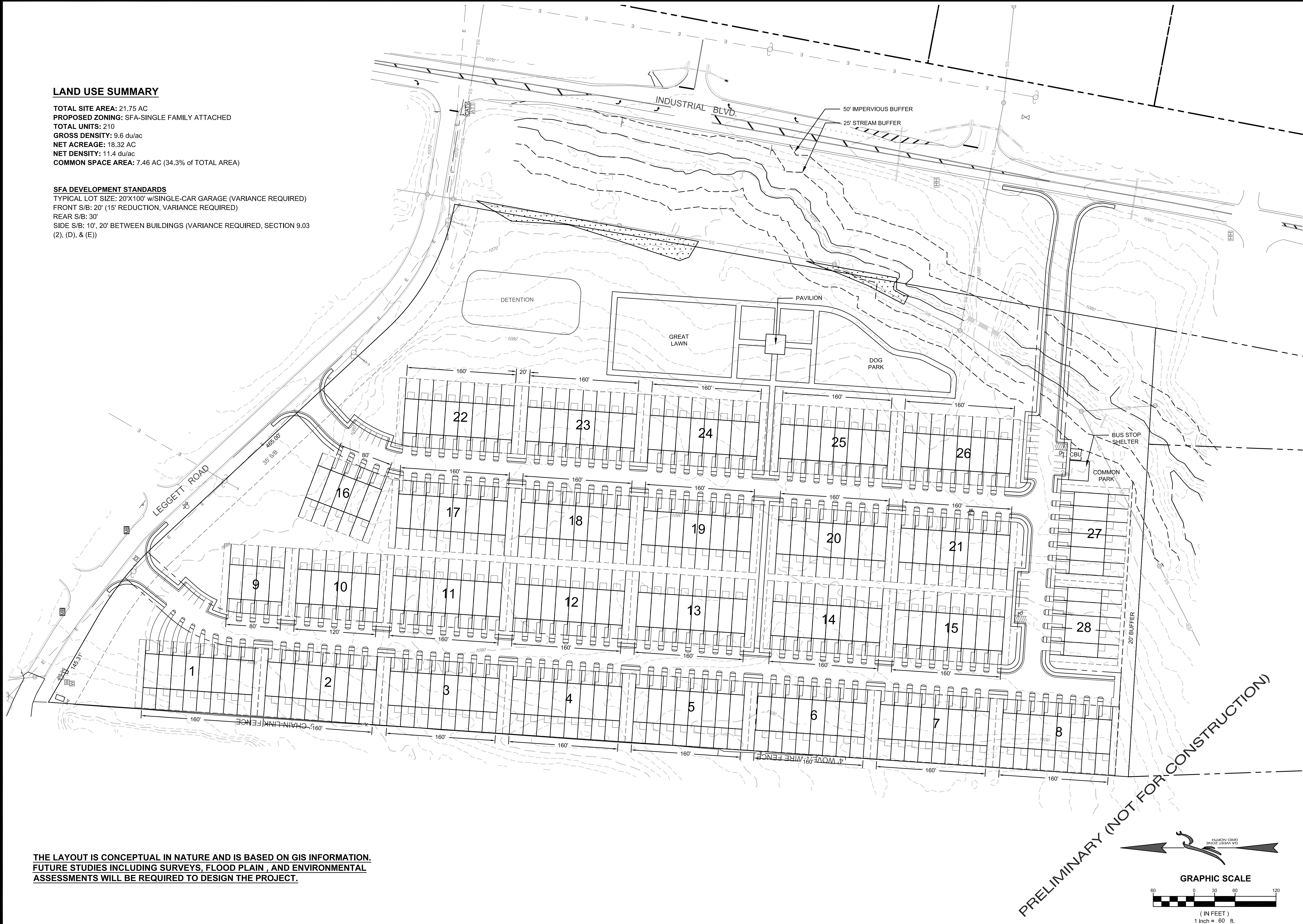


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THE LAYOUT IS CONCEPTUAL IN NATURE AND IS BASED ON GIS INFORMATION. FUTURE STUDIES INCLUDING SURVEYS, FLOOD PLAIN , AND ENVIRONMENTAL ASSESSMENTS WILL BE REQUIRED TO DESIGN THE PROJECT.

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CONCEPT PLAN
FOR
VILLA RICA TOWNHOMES

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

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PROJ NUMBER:	136.014
DRAWN BY:	BL
REVIEWED BY:	JDL
REVISED BY:	

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1.0



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 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 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

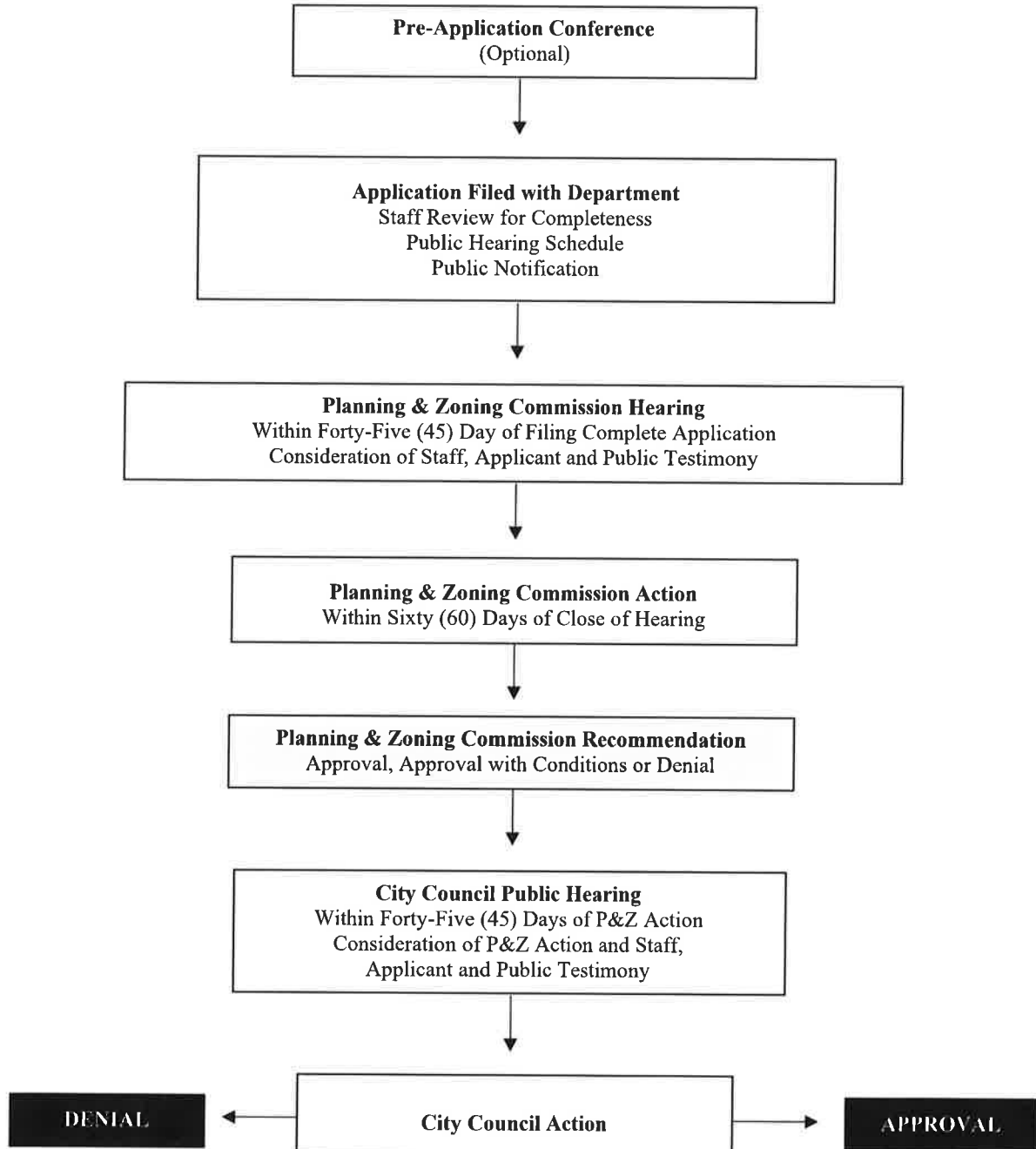
¹ APPLICANT MEANS ANY INDIVIDUAL OR BUSINESS ENTITY (CORPORATION, PARTNERSHIP, LIMITED PARTNERSHIP, FIRM ENTERPRISE, FRANCHISE, ASSOCIATION OR TRUST) APPLYING FOR REZONING OR OTHER ACTION.



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.

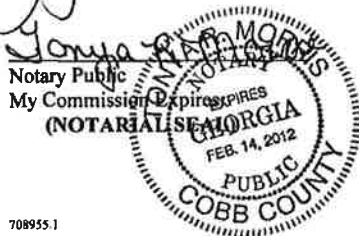
IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal, the day and year first above written.

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

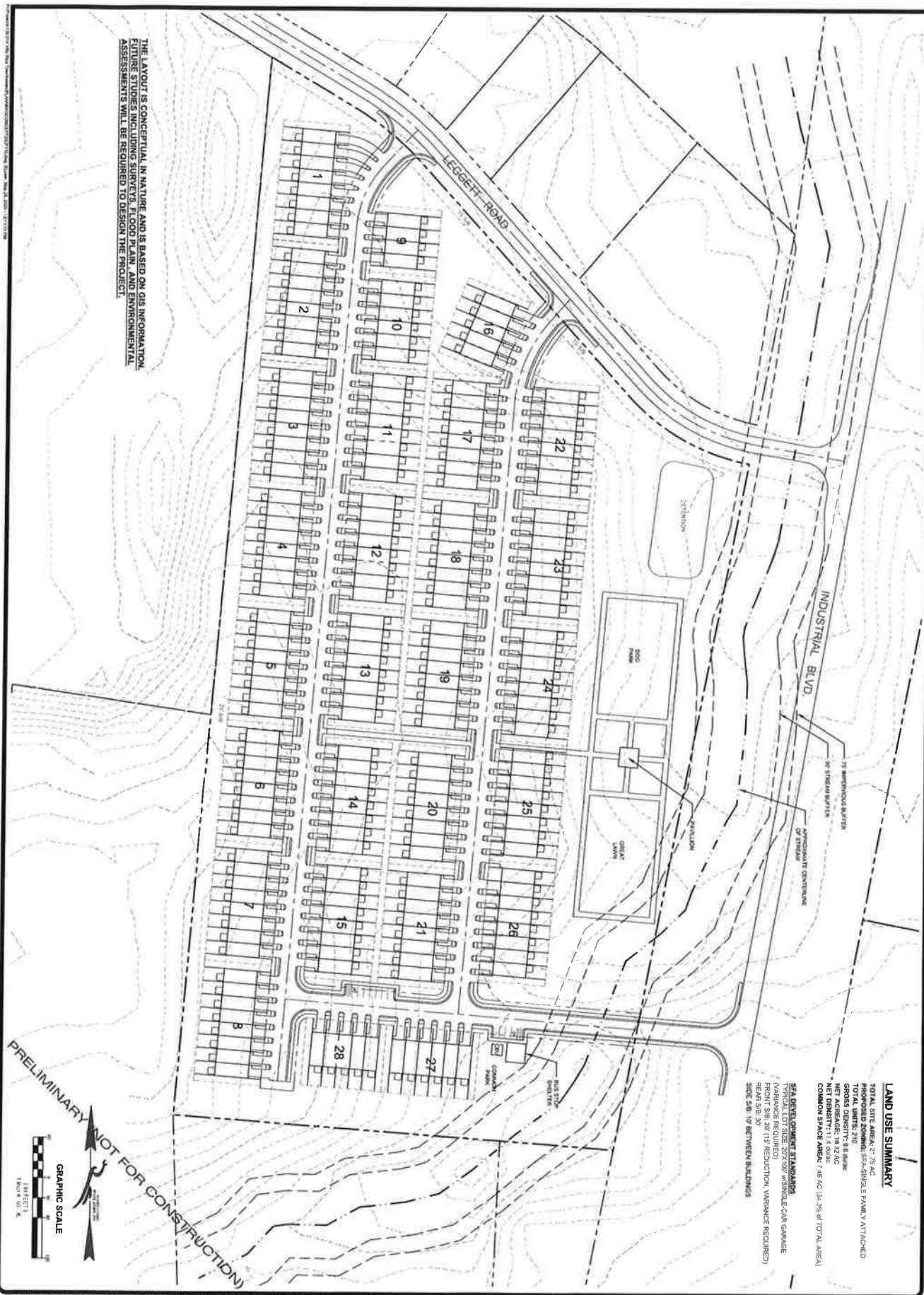
Parcel ID	V02 0070012	Owner	REDDING BURNELL & MATTHEWS	Last 2 Sales			
Class Code	Commercial		JEFF	Date	Price	Reason	Qual
Taxing District	VILLA RICA		2381 LEE PLACE	12/22/2008	0	QC	U
Acres	21.75		VILLA RICA, GA 30180	10/1/1993	\$100000	PI	U
		Physical Address	INDUSTRIAL BLVD				
		Assessed Value	Value \$401250				

(Note: Not to be used on legal documents)

Date created: 1/6/2021

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

Developed by  Schneider
GEOSPATIAL



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

LAND USE SUMMARY
 TOTAL SITE AREA: 21.75 AC
 PROPOSED ZONING: SP-SINGLE FAMILY ATTACHED
 TOTAL UNITS: 210
 COMMON AREAS: 1.50 AC
 NET ACRES: 20.25 AC
 COMMON SPACE AREA: 7.48 AC (36.9% OF TOTAL AREA)

SEA DEVELOPMENT STANDARDS
 (VARIANCE REQUIRED)
 TYPICAL LOT SIZE: 20,710 SQ. FT. MINIMUM CAR GARAGE
 (VARIANCE REQUIRED)
 REAR SET: 20' (15' REDUCTION, VARIANCE REQUIRED)
 SIDE SET: 10' BETWEEN BUILDINGS

PRELIMINARY NOT FOR CONSTRUCTION

GRAPHIC SCALE
 1" = 100' (100 FEET)
 1" = 50' (50 FEET)

DATE: 12-27-2020

DESIGNED BY: J. B. B.

CHECKED BY: J. B. B.

DATE: 12-27-2020

REVISIONS

NO.	DATE	DESCRIPTION

CONCEPT PLAN
FOR
VILLA RICA TOWNHOMES

LOCATED IN:
LAND LOTS 7, DISTRICTS 7
VILLA RICA, GEORGIA

FALCON DESIGN CONSULTANTS

ARCHITECTS

10000 W. BUCKLEBUSH BLVD.
SUITE 100
VILLA RICA, GA 30180

770.444.4444

SHEET NUMBER

1.0



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
 (VARIANCE REQUIRED)
 FRONT SETBACK: 15' (15' REDUCTION VARIANCE REQUIRED)
 SIDE SETBACK: 10' (10' REDUCTION VARIANCE REQUIRED)
 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' (10' REDUCTION VARIANCE REQUIRED)



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



10000 N. HUNTER ROAD, SUITE 100
 ATLANTA, GA 30327
 STOCKBRIDGE - CUMMING - NEWNAN

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

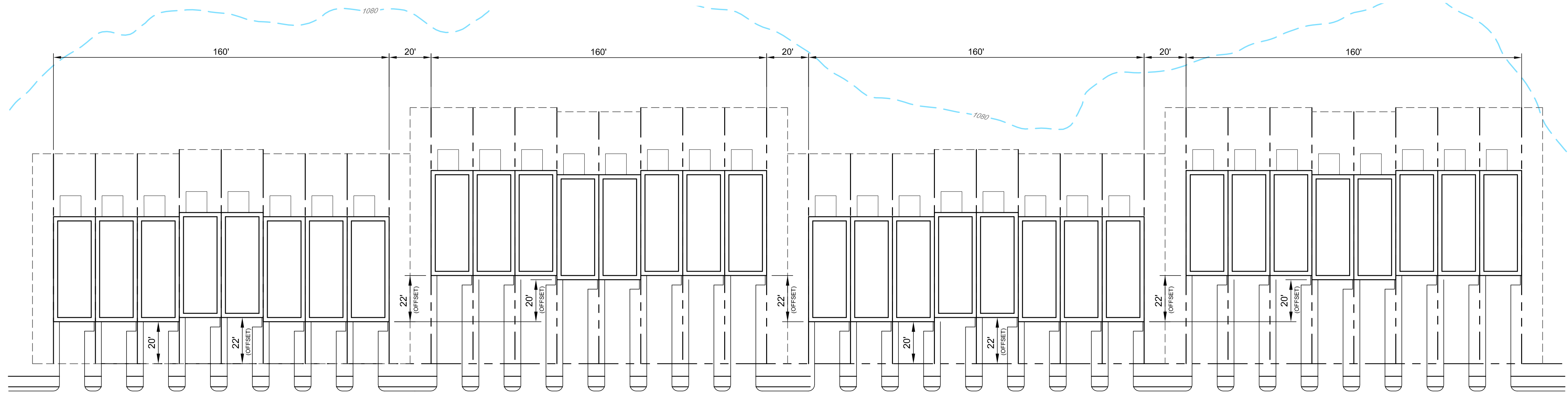
The Applicant proposes to construct single family attached townhomes on the Property.

CONSTITUTIONAL REQUIREMENTS

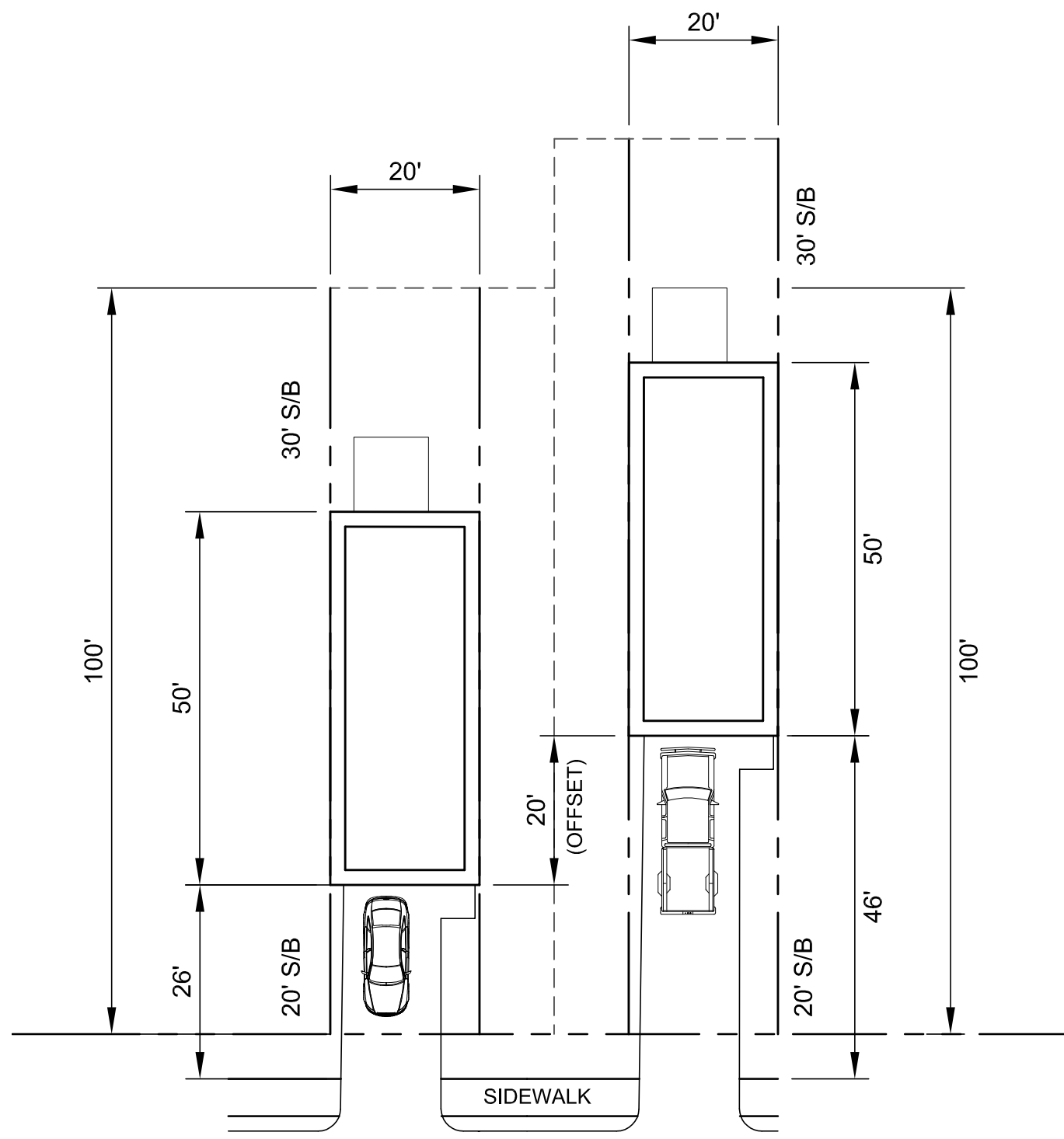
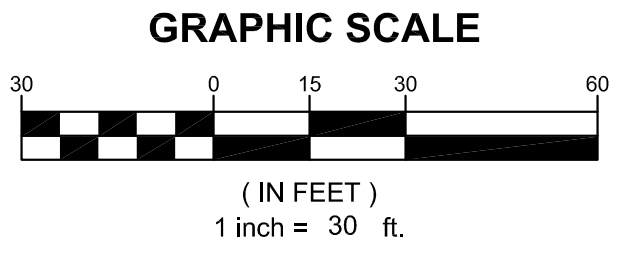
In accordance with the requirements of various Georgia cases, including *OS Advertising Company v. Rubin*, 263 Ga. 761 (1994); *Cobb County Board of Commissioners v. Poss*, 257 Ga. 393 (1987); and *Gradous v. Board of Commissioners*, 256 Ga. 469 (1989), it is hereby submitted that, if not rezoned as 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.

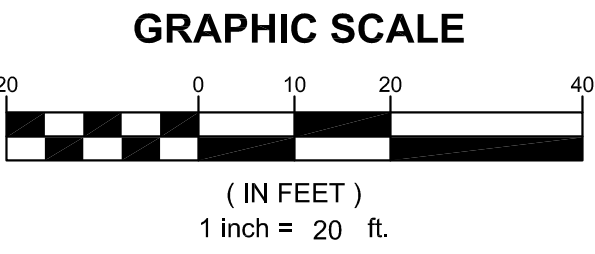
Accordingly, we respectfully urge your approval of the zoning request.



TYPICAL TOWNHOUSE LAYOUT SHOWING 20' OFFSETS
(w/2' UNIT OFFSET)
1" = 30'



TYPICAL TOWNHOUSE LAYOUT
1" = 20'



CIVIL
ENGINEERING
COA NO. PER. 002790

LAND
SURVEYING
COA NO. LSF. 000995

CONSTRUCTION
MANAGEMENT

LANDSCAPE
ARCHITECT

LAND
PLANNING

FALCON DESIGN
CONSULTANTS

STOCKBRIDGE OFFICE
225 CORP. CTR. DR. STE. 200
STOCKBRIDGE, GEORGIA 30281
PH: (770) 394-8666 • Fax: (770) 394-8666

NEWNAS OFFICE
60 GREENWAY CT. STE. A
NEWNAS, GEORGIA 30265
PH: (770) 755-2978

CLUMMING OFFICE
500 PIRATE TOWER RD. STE. C
CLUMMING, GEORGIA 30040
PH: (678) 467-7340

www.fdc-llc.com

CONCEPT PLAN
FOR
CONCEPT PLAN
OFFSET EXHIBIT
LOCATED IN:
VILLA RICA, GA

DATE	REVISIONS
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

Knowledg's Below
Cell & Data
UTILITIES PROTECTION CENTER
1 (800) 282-2411 THROUGHOUT GEORGIA
CAP. 204.411

DATE:	
SCALE:	1" = 20'
PROJ NUMBER:	136.014
DRAWN BY:	MT
REVIEWED BY:	JDL
REVISED BY:	

THIS DOCUMENT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

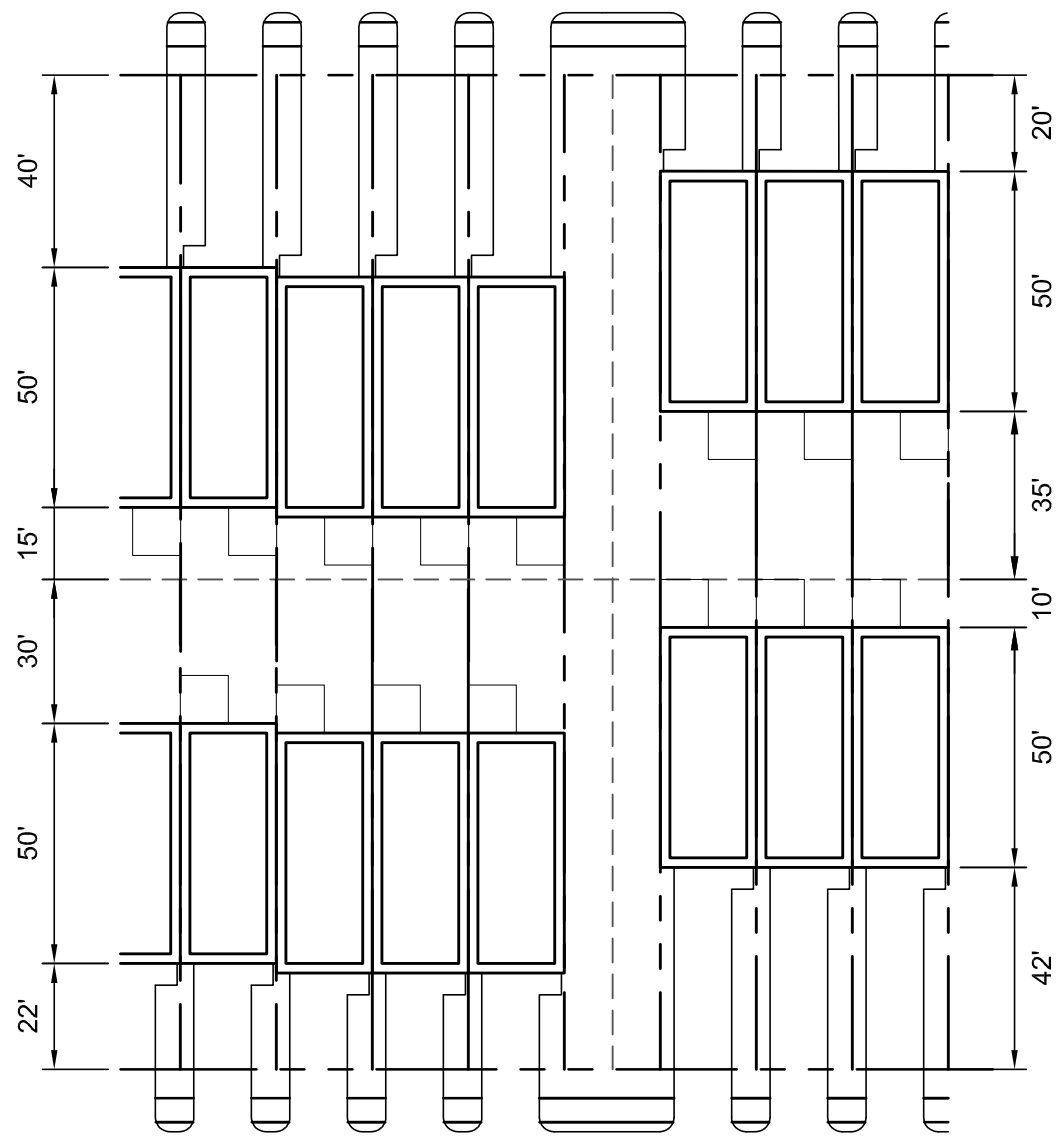
SHEET NUMBER

1 OF 1

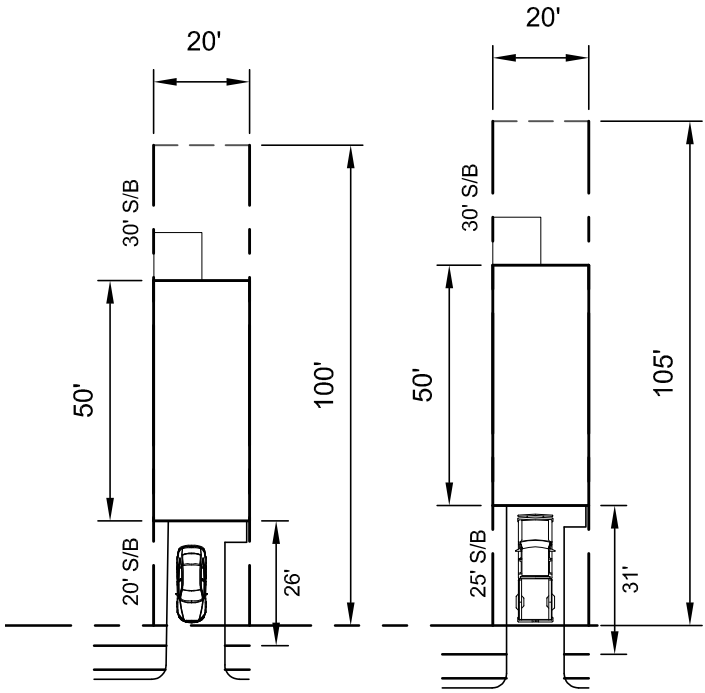
LAND USE SUMMARY

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'
TYPICAL UNIT SIZE: 20'x50' w/SINGLE-CAR GARAGE (VARIANCE REQUIRED)
FRONT S/B: 20' & 25' (5' REDUCTION, VARIANCE REQUIRED)
REAR S/B: 30'
SIDE S/B: 10', 20' BETWEEN BUILDINGS (VARIANCE REQUIRED, SECTION 9.03 (2), (D), & (E))
FACADE OFFSETS: 2'/20' BACK FROM FRONT SETBACK. VARIES PER BUILDING.



TOWNHOUSE LAYOUT w/20' OFFSETS
1" = 40'



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.

PRELIMINARY (NOT FOR CONSTRUCTION)

CIVIL
ENGINEERING
CONSTRUCTION
MANAGEMENT

LAND
SURVEYING
LANDSCAPE
ARCHITECT

LAND
PLANNING

FALCON DESIGN
CONSULTANTS

STOCKBRIDGE OFFICE
215 CORP CTR DR, SUITE 200
STOCKBRIDGE, GEORGIA 30281
PH: (770) 384-8666 • FAX: (770) 384-8666

NEWNAN OFFICE
40 GREENWAY CT, STE. A
NEWNAN, GEORGIA 30245
PH: (770) 755-9795

CLAYTON OFFICE
500 PEARCE FERRY RD, STE. C
CLAYTON, GEORGIA 30246
PH: (770) 867-1148

www.fdc-llc.com

CONCEPT PLAN
FOR
VILLA RICA TOWNHOMES

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

DATE	REVISIONS
1	
2	
3	
4	
5	
6	
7	
8	

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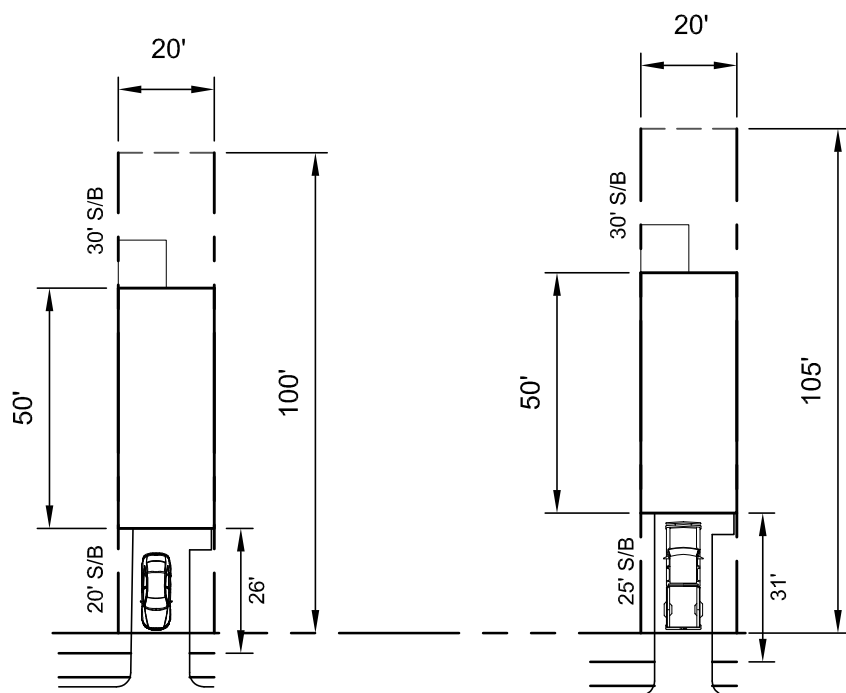
DATE:	6/23/21
SCALE:	1" = 60'
PROJ NUMBER:	136.014
DRAWN BY:	MT
REVIEWED BY:	JDL
REVISED BY:	

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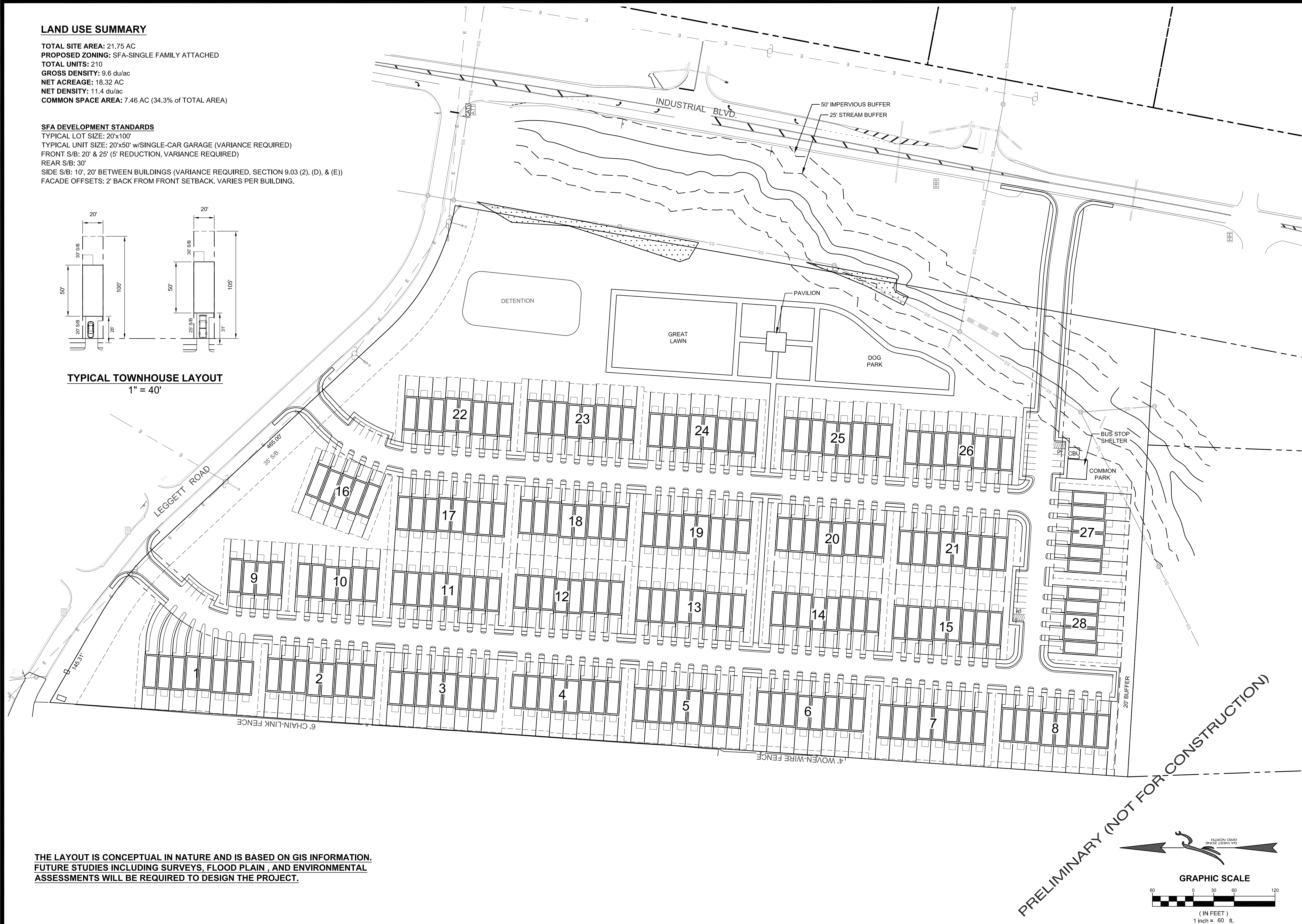
SHEET NUMBER
1.0

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SIDE S/B: 10', 20' BETWEEN BUILDINGS (VARIANCE REQUIRED, SECTION 9.03 (2), (D), & (E))
FACADE OFFSETS: 2' BACK FROM FRONT SETBACK. VARIES PER BUILDING.



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.

**CIVIL
ENGINEERING**
CON. NO. PER. 0009

**CONSTRUCTION
MANAGEMENT**

**LAND
PLANNING**

**LAND
SURVEYING**
CON. NO. 0005

**LANDSCAPE
ARCHITECT**



**FALCON DESIGN
CONCEPTS**

STOCKBRIDGE OFFICE
235 CORP. CTR. DR., STE. 200
STOCKBRIDGE, GEORGIA 30211
PH: (770)588-8666 • FAX: (770)383-8656

NEWMAN OFFICE
40 GREENWAY CT., STE. A
NEWMAN, GEORGIA 30265
PH: (770) 552-0795

CUMMING OFFICE
500 PIRLEY FERRY RD., STE.
CUMMING, GEORGIA 30066
PH: (678) 897-7119

www.fdc-llc.com

CONCEPT PLAN
FOR
VILLA RICA TOWNHOMES

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

DATE	REVISIONS
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

DATE:	6/17/21
SCALE:	1" = 60'
PROJ NUMBER:	136.014
DRAWN BY:	MT
REVIEWED BY:	JDL
REVISED BY:	

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SHEET NUMBER

1.0

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

July 12, 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: *Application of Rockhaven Homes, LLC regarding justification
for variance requests*

Dear Ron:

Ron, as a supplement to the earlier letter given in justification to the variance requests, the following is our explanation for the requested variance from the 40' separation between buildings:

2. The plans for the end units of the townhomes call for two windows, one in the living room and another in a one-half bath. This would permit a 30' separation between the buildings. However, it is my understanding that the minimum separation permitted for townhome construction under the International Fire Code is 20', and Rockhaven respectfully requests that the City Council permit the reduction to 20'.

Please look this over and give us your thoughts.

Respectfully,

HARTLEY, ROWE & FOWLER, P.C.

Joseph H. Fowler

Joseph H. Fowler

JHF/rs
cc: Mr. Brad Hughes

Mr. Ronald Johnson
June 21, 2021
Page 2

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

June 21, 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: *Application of Rockhaven Homes, LLC regarding justification
for variance requests*

Dear Ron:

It was a pleasure to meet with you and Brad at your office in Villa Rica on Thursday, June 17, 2021, regarding the variance request for the property on Industrial Boulevard at Leggett Road. Here are our thoughts regarding the requested variances:

1. With respect to the 20 foot stagger on the fronts of the property, forcing the townhomes to be setback 20 feet from one another results in a significant stormwater drainage problem along the properties. Generally speaking, for purposes of stormwater control around the building, swales will be constructed into the topography adjoining the townhomes and the staggering of each home requires the swales to be constructed in a snakelike fashion along the landscaping. We believe this is both an aesthetic and maintenance issue. Furthermore, requiring the 20 foot stagger will result in every other building having 40 foot driveways. We believe this is not only aesthetically displeasing but is not consistent with the type of development that the City would want. We believe it would likewise be unattractive to potential homebuyers. Our request is the 5 foot staggering, with alternating 2 foot interior offsets on the various units.

2. The City had formally required 40 feet between the buildings. We understand that was modified by the change adapted by the City recently so that the proposed 20 foot separation between buildings requested by Rockhaven is permitted.

3. In November of 2020 the City mandated that all townhomes be a minimum width of 24 feet. At the time Rockhaven began to meet with the City in August of last year the ordinance required a 20 foot width for townhomes. We request that the City grant the variance based on the ordinance that existed at the time we commenced our deliberations for the site.

4. The ordinance requires a 25 feet setback from right-of-way for each townhome. As we have discussed, site conditions related to the slope and topography of the property lead us to request a setback reduction by 5 feet to a total of 20 feet. However, it is our plan to locate every other building 25 feet from the right-of-way, which means the variance is only for 50% of the townhomes. Furthermore, the property falls somewhat significantly from back to front, and a retaining wall of 6 or more feet in height will have to be built between the backs of the townhomes that front on the two parallel streets. A setback of 25 feet would cause the construction of those units to lose the backyards.

Please look this over and give us your thoughts.

Respectfully,

HARTLEY, ROWE & FOWLER, P.C.



Joseph H. Fowler

JHF/rs
cc: Mr. Brad Hughes



CITY OF VILLA RICA

City Council Packet

**SUBJECT: Stockmar Road Drainage at 2004 Hubbard Court
Bid Recommendation for Construction**

CITY COUNCIL AGENDA DATE: August 10, 2021

DATE: July 26, 2021

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

FISCAL IMPACT:

ANNUAL –

CAPITAL – \$48,789.19

OTHER –

FUNDING SOURCE: 2021 Stormwater Budget – Capital (Budgeted)

PURPOSE: Recently, we have discovered that stormwater runoff from Stockmar Road is flowing across backyards in Chestnut Creek at Mirror Lake. Poor original Stormwater design for the development has resulted in this condition. Stormwater runoff from public right-of-way across private property without drainage easements is illegal.

BACKGROUND: Chestnut Creek at Mirror Lake was developed back in 2001. When developed, the drainage off of Stockmar Road was not adequately addressed. It has become a serious issue at this point. Residents yards stay wet from the runoff and vegetation in the yards has died due to this constant saturation. Children can't play in their back yards due to the issue.

STAFF RECOMMENDATION: Staff has received two bid quotations to correct this drainage problem. Chatfield Contracting of Marietta, Georgia bid \$57,172.00 and HNC Construction LLC from Temple, Georgia bid \$48,789.19. Staff recommends the lower bid for this project.

IMPACT: Capital Budget in Stormwater.

MOTION: I move to approve the lower bid from HNC Construction LLC in the amount of \$48,789.19 to correct the drainage problem at 2004 Hubbard Court in Chestnut Creek at Mirror Lake.

All substitutions must meet requirements established in section 1 of specification in its entirety.

PROJECT:

**Stockmar Road Drainage Improvements
At Chestnut Creek Subdivision**

1) Base Bid: Stockmar Road Drainage Improvements at Chestnut Creek Subdivision

Having examined the Contract documents in Bid 2021-01, as prepared by the City of Villa Rica, and having inspected the site and the conditions affecting and governing the construction of said Project, the undersigned Bidder hereby proposes to furnish all labor and materials, supervision, coordination, transportation services and equipment required to construct and properly complete the work included in the Contract Document for the lump sum of:

Dollars Forty Eight Thousand Seven Hundred eighty nine ¹⁹/₁₀₀ (\$ 48,789.19)
(Words) (Figures)

2) SIGNATURES:

Date: _____

Signed: [Signature]

By: Randall W. Hartcock

Title: Owner

Name of Firm: HWC Construction LLC

Attested: _____

- 3) Accompanying this *Proposal* is a bank cashier's check, certified check, or bid bond, complying with the requirements of the *Specifications*, and in an **amount equal to ten percent of the total annual base bid cost, made payable to the City of Villa Rica**. The amount of the check or bond is:

Four thousand eight hundred eighty eight ⁹¹/₁₀₀
Dollars

[\$ 4878.91]

If this *Proposal* is accepted and the undersigned shall fail to execute a *Contract* and *performance bond* as required herein, it is hereby agreed that the amount of the check or

All substitutions must meet requirements established in section 1 of specification in its entirety.

PROJECT:

**Stockmar Road Drainage Improvements
At Chestnut Creek Subdivision**

1) Base Bid: Stockmar Road Drainage Improvements at Chestnut Creek Subdivision

Having examined the Contract documents in Bid 2021-01, as prepared by the City of Villa Rica, and having inspected the site and the conditions affecting and governing the construction of said Project, the undersigned Bidder hereby proposes to furnish all labor and materials, supervision, coordination, transportation services and equipment required to construct and properly complete the work included in the Contract Document for the lump sum of:

Dollars FIFTY SEVEN THOUSAND ONE (\$ 57,172.00)
(Words) (Figures)
HUNDRED SEVENTY TWO DOLLARS

2) SIGNATURES:

Date: 7/23/2021

Signed: [Signature]

By: SCOTT BEAUMONT

Title: VICE PRESIDENT

Name of Firm: CHATFIELD CONTRACTING, INC.

Attested: Jenni J. Brasewell

- 3) Accompanying this *Proposal* is a bank cashier's check, certified check, or bid bond, complying with the requirements of the *Specifications*, and in an amount equal to ten percent of the total annual base bid cost, made payable to the City of Villa Rica. The amount of the check or bond is:

SEE ATTACHED BID BOND
Dollars

[\$ _____]

If this *Proposal* is accepted and the undersigned shall fail to execute a *Contract* and *performance bond* as required herein, it is hereby agreed that the amount of the check or



CITY OF VILLA RICA

City Council Packet

SUBJECT: Request for Temporary Signage for 2021 Frontier's Rodeo

CITY COUNCIL AGENDA DATE: August 10, 2021

DATE: July 29, 2021

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

FISCAL IMPACT:

ANNUAL – N/A

CAPITAL – N/A

OTHER – N/A

FUNDING SOURCE: N/A

PURPOSE: To approve the temporary placement of signage for the Villa Rica Frontier's Rodeo.

BACKGROUND: Clint Chance is organizing the 16th Villa Rica Frontier's Rodeo. He is requesting permission to place signage from Saturday, August 14th with removal no later than August 30th.

The requested signage includes up to six 4-by-8 signs, up to eight 4-by-4 signs, and up to 75 18-inch-by-24-inch signs.

STAFF RECOMMENDATION: Staff recommends approval of the request.

IMPACT: None.

MOTION: I move that we give Villa Rica Frontier's Rodeo and Clint Chance permission to erect temporary signage for the 2021 event as requested in the attached documents.

7-28-2021

City of Villa Rica
Attn: Bobby Elliott / Community Development Director
571 W. Bankhead Highway
Villa Rica, GA 30180

Mr. Elliott,

The 16th annual Villa Rica Frontiers' Rodeo is scheduled for August 27th and 28th, 2021. Please accept this instrument as our official request for temporary signage placement within the City limits of Villa Rica. The following pertinent information is for your department's review:

1) Requesting placement of signage approximately two weeks prior to the starting event date; ***no earlier than Saturday, August 14th*** with removal no later than August 30th. Our organization has successfully removed all signage from within the City limits the day after the event for the past fifteen years.

2) All signage will be constructed of, "coroplast". This material is a light weight, ridged plastic that does not fold or wrinkle in comparison to traditional vinyl signs. Thus the sign does not deform during inclement weather or wind making it clean and providing a much neater appearance when erected.

4ft X 8ft signage - not to exceed 6

4ft X 4ft signage - not to exceed 8

18 inches X 24 inches (small) - not to exceed 75

3) All signage will be placed onto private property with the owner's permission. Many locations are event sponsors. There will be NO signage placed in, "rights of way" or areas that would impede upon the safety of motor vehicle travel.

4) The Frontiers' Rodeo is family oriented and organizers strive to produce a quality event that is of good taste with the inclusion of numerous safety measures. On-site ambulatory services, uniformed security which includes off duty Villa Rica Police Department Officers and highway traffic control are among the safety precautions implemented.

5) Because of the family friendly atmosphere, alcohol is PROHIBITED on the premises of the event.

6) Many local non-profit and public school systems have benefited annually from the production of this professional rodeo. Among last year's recipients for monetary donations included but were not limited to: VRHS Soccer Team and VRHS Baseball Team.

7) While the event is not being hosted on City owned property, the Frontiers' Rodeo will provide insurance out of good faith, listing the City of Villa Rica as an additional insured on its multi-million dollar policy.

8) The event has been properly permitted and approved by the State of Georgia Agricultural Department as required.

9) The Frontiers' Rodeo has been featured and/or associated with many nationally recognized organizations. From a national cover story on CNN Headline News, the debut of a new tea line thru FUZE, a subsidiary of the Coca-Cola Company, write-ups in the AJC News to the opening of

Small Cakes in downtown Villa Rica to the Ghost Riders, a nationally acclaimed act with live monkeys riding side saddle on the back of, "Border Collie" dogs. Additionally, in years past, Brigade, a world class Free Style Motor Cross Stunt Performing Company, wowed fans from the West GA Community. Organizers are proud to have brought many world class acts and affiliates for an entertainment stop in Villa Rica, GA that has drawn tens of thousands of spectators to our community over the years.

I trust the enclosed information is substantial in providing the necessary documentation for your review. Please do not hesitate to contact me with any questions or concerns.

Best,

Clint M. Chance
Chief of Operations

Villa Rica Frontiers' Rodeo
Post Office Box 323
Villa Rica, GA 30180

770-634-9650

platinumeventpromotions@gmail.com

ccrodeoproductions@yahoo.com

www.pcarodeo.com www.4Lrodeo.com [www.facebook.com/don richfordvillaricafontiersrodeo](https://www.facebook.com/donrichfordvillaricafontiersrodeo)



DEN RICH FORD
RODEO
AUG 24 & 25
8 PM
I-20 EXIT 24
1 Mile South of VPLEX

BANK
OZARKS

223

Carroll
VAC



CITY OF VILLA RICA

City Council Packet

SUBJECT: Amendment to Section 7.02(17) – Parking of Commercial Vehicles
Contained in City of Villa Rica Zoning Code

CITY COUNCIL AGENDA DATE: August 10, 2021

DATE: July 29th, 2021

PREPARED BY: Ronald Johnson, Planning & Zoning Specialist

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PUBLIC HEARING REQUIRED: Yes

PURPOSE: Section 7.02(17) of the Villa Rica Zoning Code is a part of the City's Zoning Ordinance. The purpose of this proposed amendment is to institute additional regulations for the parking of commercial vehicles in various commercial and industrial zoning categories citywide in order to minimize negative environmental and quality of life impacts.

BACKGROUND: The Villa Rica Zoning Ordinance permits for the parking of commercial vehicles in industrial and commercial zones, but does not effectively regulate truck parking as a primary use. In correlation with changes to the Permitted Uses table for such uses, staff found it appropriate to establish further policies to ensure that truck parking businesses conduct themselves most appropriately in zoning districts where such parking is permitted or a special exception.

STAFF RECOMMENDATION: Staff recommends approval of the proposed amendment in order to protect life, safety and the environment within the community.

PLANNING COMMISSION: This proposed amendment will be submitted to the Planning Commission at its next regularly scheduled meeting.

MOTION: I move to approve the proposed amendment to Section 7.02(17) of the City of Villa Rica Zoning Ordinance as attached hereto.

17) PARKING OF COMMERCIAL VEHICLES.

- a) In commercial and industrial districts, commercial vehicles with or without signage which are over eight (8) feet in width and/or nineteen (19) feet in length shall not be stored in a parking area. Such vehicles shall be parked or stored in the required off-street loading space(s) or to the rear of the principal building when not in use or during non-business hours. Truck stops shall be exempt from this section.
- b) Where Special Exception approval is required, the City Council shall evaluate the potential impacts of noise, glare, dust, debris, traffic, public safety, and security, among other measures. Such locations, where approved, will need to be appropriately buffered, screened, and surfaced as to minimize quality of life and environmental impacts. Truck stops shall not be located within 500 feet of a property zoned R-1, R-2, SFA, MF-1, MF-2, or OMI.
 - i. Truck parking as a primary use on any commercial or industrial lot shall not have any trucks that are parked or stationary on the lot for more than more than forty-eight (48) hours at a time.
 - ii. In the event that there is not a principal building on site, all trucks must be parked behind the front yard setback. Under no circumstance may trucks be parked within a required setback area.
 - iii. Trailers may not be parked on any lot without being directly connected to a semi-tractor.
- c) With the exception of properties utilized for agricultural use, truck parking (except the temporary parking for the delivery of goods and/or services) and the outdoor storage of trucks over seventy-five hundred (7,500lbs.) pounds gross vehicle weight and or eight (8) feet in height, buses, and semi-tractor and/or trailers shall not be permitted in residential districts. No vehicles shall be parked for the purposes of advertising alongside interstates and highways in any zoning district.

18) PARKING OF NON-COMMERCIAL MOTOR VEHICLES. The parking of recreational vehicles, travel trailers, boats, vehicle carrier trailers (including automobiles, snowmobiles, motorcycles, etc.), equipment trailers, and other non-commercial motor vehicles associated with residential uses are subject to the following requirements:

- a) At no time shall any parked or stored recreational vehicle be occupied or used for living, sleeping, or housekeeping purpose.
- b) The Director may require a land owner to verify that the vehicle is licensed and operational.
- c) In any District the wheels or any similar transporting devices of any recreational vehicle shall not be removed except for repairs, nor shall such vehicle be otherwise permanently fixed to the ground in a manner that would prevent ready removal of said types of mobile structures.
- d) The outside storage of motor vehicles used for motorsports shall be prohibited.

19) SPECIAL AREA DESIGNATION. Development Plans for proposed projects shall identify the location of handicapped spaces, trash receptacles, cart corrals, fire lanes or other special areas as may be required by other local, state or federal laws.

20) OFF -SITE AND SHARED PARKING

- a) Off-Site Parking. Off-site parking may be allowed on another lot that is within five-hundred (500) feet of the lot occupied by the use(s) for which it is required. A formal agreement between property owners shall be provided prior to Development Plan approval. The agreement shall be recorded with the Plat.

- b) Shared Parking. Shared parking may be allowed between two (2) or more lots that share property lines.
 - i. Uses with Similar Business Hours. The total of such off-street parking spaces supplied collectively for multiple uses with similar business hours, where all uses are located within a shopping center or a retail/office/business park subdivision, may be less than the sum of the requirements for the various uses computed separately. In no case shall the sum of the requirements for the various uses be reduced by more than fifteen percent (15%) of the required parking for uses when computed separately as determined by the planning staff.
 - ii. Uses with Dissimilar Business Hours. Churches, civic clubs, auditoriums, lodge halls, banquet halls, movie theaters, and stadiums may make arrangements with existing business establishments which normally have different hours of operation for sharing up to fifty percent (50%) of their required parking spaces (Example 1), provided however, where there is a sharing of facilities by different owners or tenants, there shall be a written agreement approved by the Planning & Zoning Commission. In addition, should any of the uses having a joint agreement after passage of this Ordinance be changed or facilities discontinued, then the required spaces for the use or uses remaining shall be provided elsewhere as a condition precedent to the continued use of the building or buildings. The approved agreement shall be recorded with the County Recorder, and a copy kept on file with the Community Development department.



CITY OF VILLA RICA

City Council Packet

SUBJECT: Amendment to Table 4.3 – Permitted Uses Table
Contained in City of Villa Rica Zoning Code

CITY COUNCIL AGENDA DATE: August 10, 2021

DATE: July 29th, 2021

PREPARED BY: Ronald Johnson, Planning & Zoning Specialist

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PUBLIC HEARING REQUIRED: Yes

PURPOSE: Table 4.3 of the Villa Rica Zoning Ordinance is proposed to be changed to limit “parking lots or structures as a primary use” to the status of a special exception rather than a permitted use as currently arranged. The purpose of this proposed amendment is to remove commercial parking lots and truck parking centers as permitted uses in the zoning district in order to better regulate the locations that may be proposed for such activity within the zone.

BACKGROUND: The Villa Rica Zoning Ordinance permits for parking lots and structures as primary uses in the OMI and C2 zones outright, and permits the activity as a special exception in the I2 zone. Staff has reviewed the use in relation to these corresponding zoning districts, and others, and has found that the potential for truck parking as a part of this use may negatively impact the C2 zone. Listing the use as a special exception instead of a primary use will provide additional opportunity for the Council to hear such requests and the merits of the application in the C2 zoning district as they can in the I2 zone.

STAFF RECOMMENDATION: Staff recommends approval of the proposed amendment.

PLANNING COMMISSION: This proposed amendment will be submitted to the Planning Commission at its next regularly scheduled meeting.

MOTION: I move to approve the proposed amendment to Section Table 4.3 of the City of Villa Rica Zoning Ordinance as attached hereto. 1515

Table 4.3: Permitted and Conditional Land Uses ¹ ● = Permitted Use Ⓢ = Special Exception Required	ZONING DISTRICTS												
	RESIDENTIAL						COMMERCIAL					INDUSTRIAL	
	AG	R1	R2	SFA	MF1	MF2	CBD	CMU	C1	C2	OMI	I1	I2
Agricultural													
Low Intensity Uses													
agricultural use, low intensity	●	-	-	-	-	-	-	-	-	-	-	-	-
Medium Intensity Uses													
agricultural chemical sales, distribution, & storage	-	-	-	-	-	-	-	-	-	-	-	-	●
agricultural entertainment	●	-	-	-	-	-	-	-	-	-	-	-	-
agricultural processing, minor	●	-	-	-	-	-	-	-	-	-	-	-	-
animal boarding/stables (excluding kennels) ²	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	-
farm equipment sales and service	-	-	-	-	-	-	-	-	-	Ⓢ	-	-	-
farmer’s market	-	-	-	-	-	-	Ⓢ	Ⓢ	-	-	-	-	-
greenhouse (on-site plant sales)	●	-	-	-	-	-	-	-	-	-	-	-	-
winery	●	-	-	-	-	-	-	-	-	-	-	-	-
Residential													
bed and breakfast establishments	Ⓢ	-	-	-	-	-	-	Ⓢ	-	-	-	-	-
boarding house	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	-
day care home: small (1-6 enrollees)	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	-
day care home: large (7 or more enrollees)	-	-	-	-	-	Ⓢ	-	Ⓢ	Ⓢ	-	-	-	-
dwelling, accessory apartment	●	●	●	-	-	-	-	-	-	-	-	-	-
dwelling, multi-family ³	-	-	-	●	●	●	-	Ⓢ	-	-	-	-	-
dwelling, part of mixed-use structure	-	-	-	-	-	-	●	●	-	-	-	-	-
dwelling, single-family	●	●	●	-	-	-	-	-	-	-	-	-	-
dwelling, two-family	-	-	-	●	●	-	-	-	-	-	-	-	-
personal care home, family (4-6 residents)	●	Ⓢ	Ⓢ	-	-	-	-	Ⓢ	-	-	-	-	-
personal care home, group (7 -16 residents)	Ⓢ	Ⓢ	-	-	-	-	-	Ⓢ	-	-	●	-	-
personal care home, congregate (17+ residents)	Ⓢ	-	-	-	-	-	-	-	-	-	●	-	-
home business	●	●	-	-	-	-	-	-	-	-	-	-	-
home occupation	●	●	●	●	●	●	-	Ⓢ	-	-	-	-	-
kennel, private	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	-
independent living facility for seniors	-	-	-	-	-	●	-	-	-	-	●	-	-
nursing home, assisted living, or retirement facility	-	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	●	-	-
Communications / Utilities													
essential services, minor	●	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	●	●	●	●	●	●
essential services, major	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	●	●	●	●	●
solar farms and wind energy conversion systems, noncommercial	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
wireless communications facilities	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	Ⓢ

¹ In addition to permitted uses listed here, any other use that supports the purpose of this Ordinance, as determined by the Planning Commission, is permitted.

² Special exception required if outside runs exist

³ Special Exception required for townhouses, lofts, and condominiums in the CMU District.

Table 4.3: Permitted and Conditional Land Uses ¹

 = Permitted Use
 = Special Exception Required

Table 4.3: Permitted and Conditional Land Uses ¹	ZONING DISTRICTS												
	RESIDENTIAL						COMMERCIAL					INDUSTRIAL	
	AG	R1	R2	SFA	MF1	MF2	CBD	CMU	C1	C2	OMI	I1	I2
Institutional													
Education													
educational inst, excluding p-12, public				-	-	-	-	-	-		-	-	-
educational inst, p-12 only, public				-	-	-	-	-	-		-	-	-
educational inst, excluding p-12, private				-	-	-	-	-	-		-	-	-
educational inst, p-12 only, private				-	-	-	-	-	-		-	-	-
Transportation													
bus/train terminal	-	-	-	-	-	-			-			-	-
parking lot or structure (as a primary use)	-	-	-	-	-	-	-	-	-			-	
Other													
animal shelter	-	-	-	-	-	-	-	-	-	-	-		-
cemeteries				-	-	-	-	-	-	-	-	-	-
clinic	-	-	-	-	-	-	-					-	-
community center				-	-	-	-					-	-
funeral home / mortuary / crematory	-	-	-	-	-	-	-			-	-	-	-
health care facilities, medical and emergency	-	-	-	-	-	-	-					-	-
lodge or private club				-	-	-					-	-	-
places of worship				-	-	-	-			-	-	-	-
publicly-owned buildings and facilities													
Parks & Recreation													
campground / rv park		-	-	-	-	-	-	-	-		-	-	-
driving range (as a primary use)		-	-	-	-	-	-	-	-	-	-	-	-
golf course				-	-	-	-	-		-	-	-	-
nature preserve													
recreation (active)							-	-	-	-	-	-	-
recreation (passive)									-	-	-	-	-

¹ In addition to permitted uses listed here, any other use that supports the purpose of this Ordinance, as determined by the Planning Commission, is permitted.

² Special exception required if outside runs exist

³ This use is not permitted in the C-220 and C-240 zones.

Table 4.3: Permitted and Conditional Land Uses ¹

 = Permitted Use
 = Special Exception Required

Table 4.3: Permitted and Conditional Land Uses ¹	ZONING DISTRICTS												
	RESIDENTIAL						COMMERCIAL					INDUSTRIAL	
	AG	R1	R2	SFA	MF1	MF2	CBD	CMU	C1	C2	OMI	I1	I2
Commercial													
Adult Uses													
sexually oriented businesses	-	-	-	-	-	-	-	-	-	-	-	-	
Motor Vehicle Services													
car wash	-	-	-	-	-	-	-	-			-	-	-
filling station	-	-	-	-	-	-	-				-		-
impound facility	-	-	-	-	-	-	-	-	-	-	-		
motor vehicle parts sales (without on-site repair)	-	-	-	-	-	-	-	-			-	-	-
motor vehicle repair and service, major	-	-	-	-	-	-	-	-		-	-	-	
motor vehicle repair and service, minor	-	-	-	-	-	-	-	-			-		-
motor vehicle sales, small	-	-	-	-	-	-	-	-			-	-	-
motor vehicle sales, large	-	-	-	-	-	-	-	-	-		-	-	-
storage, rv and boat	-	-	-	-	-	-	-	-		-	-		-
truck stop / travel center	-	-	-	-	-	-	-	-	-		-	-	
Entertainment / Recreation													
banquet or assembly hall		-	-	-	-	-	-	-			-		-
conference / convention center	-	-	-	-	-	-	-	-	-			-	-
entertainment, commercial outdoor		-	-	-	-	-	-	-	-	-	-	-	-
entertainment complex		-	-	-	-	-	-	-			-	-	-
retreat center		-	-	-	-	-	-	-		-		-	-
Services													
commercial services	-	-	-	-	-	-					-	-	-
day care center (child / adult)	-	-	-	-	-		-					-	-
fitness center	-	-	-	-	-	-						-	-
drug stores and pharmacies	-	-	-	-	-	-						-	-
hotels / motels	-	-	-	-	-	-	-	-				-	-
kennel		-	-	-	-	-	-	-	 ²	 ²	-		-
lawncare/landscaping business		-	-	-	-	-	-	-		-	-	-	-
storage, contractor	-	-	-	-	-	-	-	-		-	-		
storage, self-service	-	-	-	-	-	-	-				-		-
Professional / Office													
administrative/professional office	-	-	-	-	-	-							-
bank / financial/ investment institution	-	-	-	-	-	-	-					-	-
data processing / call center	-	-	-	-	-	-	-	-				-	-
employment service	-	-	-	-	-	-	-	-	-			-	-
medical and dental laboratories	-	-	-	-	-	-	-	-					-
veterinarian clinics and animal hospitals		-	-	-	-	-	-	 ²	 ²		-	-	-

¹ In addition to permitted uses listed here, any other use that supports the purpose of this Ordinance, as determined by the Planning Commission, is permitted.

Table 4.3: Permitted and Conditional Land Uses ¹

 = Permitted Use
 = Special Exception Required

Table 4.3: Permitted and Conditional Land Uses ¹	ZONING DISTRICTS												
	RESIDENTIAL						COMMERCIAL					INDUSTRIAL	
	AG	R1	R2	SFA	MF1	MF2	CBD	CMU	C1	C2	OMI	I1	I2
Restaurant / Food Preparation													
bar / tavern	-	-	-	-	-	-					-	-	-
coffee shop	-	-	-	-	-	-							-
microbrewery / brew-pub	-	-	-	-	-	-					-	-	-
wine and craft beer boutique	-	-	-	-	-	-					-	-	-
restaurants	-	-	-	-	-	-							-
restaurants, fast food	-	-	-	-	-	-	-						-
Retail													
retail small-scale (less than 15,000sf)	-	-	-	-	-	-						-	-
retail medium-scale (greater than 15,000sf, less than 35,000sf)	-	-	-	-	-	-	-				-	-	-
retail large-scale (greater than 35,000sf)	-	-	-	-	-	-	-	-	-		-	-	-
Light and Heavy Industrial													
agricultural products terminal	-	-	-	-	-	-	-	-	-	-	-	-	
animal & animal products processing, packaging	-	-	-	-	-	-	-	-	-	-	-	-	
auction facility (excluding livestock)	-	-	-	-	-	-	-	-	-		-		-
bottle gas storage & distribution	-	-	-	-	-	-	-	-		-	-		-
composting facility		-	-	-	-	-	-	-	-	-	-	-	
concrete / asphalt production facility	-	-	-	-	-	-	-	-	-	-	-	-	
explosive manufacturing and storage	-	-	-	-	-	-	-	-	-	-	-	-	
food & beverage production	-	-	-	-	-	-	-	-	-	-	-		
junk / scrap metal yard	-	-	-	-	-	-	-	-	-	-	-	-	
lumber yard	-	-	-	-	-	-	-	-	-	-	-		
manufacturing (heavy)	-	-	-	-	-	-	-	-	-	-	-	-	
manufacturing (light)	-	-	-	-	-	-	-	-	-	-			
mineral extraction operations ⁴		-	-	-	-	-	-	-	-	-	-	-	
petroleum and chemical processing and storage	-	-	-	-	-	-	-	-	-	-	-	-	
power generation facility (commercial)	-	-	-	-	-	-	-	-	-	-	-	-	
printing / publishing facility	-	-	-	-	-	-	-	-	-				
recycling center	-	-	-	-	-	-	-	-	-	-	-		
research and testing laboratories	-	-	-	-	-	-	-	-	-	-			-
salvage yard	-	-	-	-	-	-	-	-	-	-	-	-	
sanitary landfill	-	-	-	-	-	-	-	-	-	-	-	-	
solid waste transfer station	-	-	-	-	-	-	-	-	-	-	-	-	
tool and die shop	-	-	-	-	-	-	-	-		-			-
truck freight terminal	-	-	-	-	-	-	-	-	-	-		-	
warehouse & distribution facility	-	-	-	-	-	-	-	-	-	-			
waste incinerator	-	-	-	-	-	-	-	-	-	-	-	-	

¹ In addition to permitted uses listed here, any other use that supports the purpose of this Ordinance, as determined by the Planning Commission, is permitted.

⁴ In urban areas as defined by O.C.G.A Title 12 - Natural Resources

Table 4.3: Permitted and Conditional Land Uses ¹	ZONING DISTRICTS												
	RESIDENTIAL						COMMERCIAL					INDUSTRIAL	
	AG	R1	R2	SFA	MF1	MF2	CBD	CMU	C1	C2	OMI	I1	I2
● = Permitted Use Ⓢ = Special Exception Required													
Agricultural													
Low Intensity Uses													
agricultural use, low intensity	●						-	-	-	-	-	-	-
Medium Intensity Uses													
agricultural chemical sales, distribution, & storage	-	-	-	-	-	-	-	-	-	-	-	-	●
agricultural entertainment	●	-	-	-	-	-	-	-	-	-	-	-	-
agricultural processing, minor	●	-	-	-	-	-	-	-	-	-	-	-	-
animal boarding/stables (excluding kennels) ²	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	-
farm equipment sales and service	-	-	-	-	-	-	-	-	-	Ⓢ	-	-	-
farmer’s market	-	-	-	-	-	-	Ⓢ	Ⓢ	-	-	-	-	-
greenhouse (on-site plant sales)	●	-	-	-	-	-	-	-	-	-	-	-	-
winery	●	-	-	-	-	-	-	-	●	●	-	-	-
Residential													
bed and breakfast establishments	Ⓢ	-	-	-	-	-	-	Ⓢ	-	-	-	-	-
boarding house	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	-
day care home: small (1-6 enrollees)	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	-
day care home: large (7 or more enrollees)	-	-	-	-	-	Ⓢ	-	Ⓢ	Ⓢ	-	-	-	-
dwelling, accessory apartment	●	●	●	-	-	-	-	-	-	-	-	-	-
dwelling, multi-family	-	-	-	●	●	●	-	-	-	-	-	-	-
dwelling, part of mixed-use structure	-	-	-	-	-	-	●	●	-	-	-	-	-
dwelling, single-family	●	●	●	-	-	-	-	-	-	-	-	-	-
dwelling, two-family	-	-	-	●	●	-	-	Ⓢ	-	-	-	-	-
personal care home, family (4-6 residents)	●	Ⓢ	Ⓢ	-	-	-	-	Ⓢ	-	-	-	-	-
personal care home, group (7 -16 residents)	Ⓢ	Ⓢ	-	-	-	-	-	Ⓢ	-	-	●	-	-
personal care home, congregate (17+ residents)	Ⓢ	-	-	-	-	-	-	-	-	-	●	-	-
home business	●	●	-	-	-	-	-	-	-	-	-	-	-
home occupation	●	●	●	●	●	●	-	Ⓢ	-	-	-	-	-
kennel, private	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	-
independent living facility for seniors	-	-	-	-	-	●	-	-	-	-	●	-	-
nursing home, assisted living, or retirement facility	-	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	●	-	-
Communications / Utilities													
essential services, minor	●	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	●	●	●	●	●	●
essential services, major	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	●	●	●	●	●
solar farms and wind energy conversion systems, noncommercial	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
wireless communications facilities	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
Institutional													
Education													
educational inst, excluding p-12, public	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	●	-	-	-
educational inst, p-12 only, public	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	●	-	-	-
educational inst, excluding p-12, private	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	●	-	-	-
educational inst, p-12 only, private	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	●	-	-	-
Transportation													
bus/train terminal	-	-	-	-	-	-	Ⓢ	Ⓢ	-	●	●	-	-
parking lot or structure (as a primary use)	-	-	-	-	-	-	-	-	-	Ⓢ	●	-	Ⓢ
Other													
animal shelter	-	-	-	-	-	-	-	-	-	-	-	●	-
cemeteries	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	-	-	-	-
clinic	-	-	-	-	-	-	-	●	●	●	●	-	-
community center	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	●	●	●	●	-	-
funeral home / mortuary / crematory	-	-	-	-	-	-	-	Ⓢ	Ⓢ	-	-	-	-
health care facilities, medical and emergency	-	-	-	-	-	-	-	Ⓢ	●	●	●	-	-
lodge or private club	Ⓢ	Ⓢ	Ⓢ	-	-	-	●	●	●	●	-	-	-
places of worship	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	Ⓢ	Ⓢ	-	-	-	-
publicly-owned buildings and facilities	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	●	●	●	●	●	●	●
Parks & Recreation													
campground / rv park	Ⓢ	-	-	-	-	-	-	-	-	●	-	-	-
driving range (as a primary use)	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	-
golf course	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	●	-	-	-	-
nature preserve	●	●	●	●	●	●	●	●	●	●	●	●	●
recreation (active)	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	-
recreation (passive)	●	●	●	●	●	●	●	●	-	-	-	-	-
Commercial													
Adult Uses													
sexually oriented businesses	-	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
Motor Vehicle Services													
car wash	-	-	-	-	-	-	-	-	●	●	-	-	-
filling station	-	-	-	-	-	-	-	Ⓢ	●	●	-	-	-
impound facility	-	-	-	-	-	-	-	-	-	-	-	Ⓢ	●
motor vehicle parts sales (without on-site repair)	-	-	-	-	-	-	-	-	●	●	-	-	-
motor vehicle repair and service, major	-	-	-	-	-	-	-	-	Ⓢ	-	-	-	●
motor vehicle repair and service, minor	-	-	-	-	-	-	-	-	●	●	-	●	-
motor vehicle sales, small	-	-	-	-	-	-	-	-	●	Ⓢ	-	-	-
motor vehicle sales, large	-	-	-	-	-	-	-	-	-	●	-	-	-
storage, rv and boat	-	-	-	-	-	-	-	-	Ⓢ	-	-	●	-
truck stop / travel center	-	-	-	-	-	-	-	-	-	●	-	-	Ⓢ



CITY OF VILLA RICA

City Council Packet

SUBJECT: Library after-hours meeting room use and fee schedule

CITY COUNCIL AGENDA DATE: 7/13/2021

DATE: 06/29/2021

PREPARED BY: Evette Bridges

FISCAL IMPACT: None

ANNUAL – N/A

CAPITAL – N/A

OTHER – N/A

FUNDING SOURCE: N/A

PURPOSE: Meeting room use by community for fee afterhours on days of normal operations.

BACKGROUND: There have been request in the past for use of the meeting room for times that the library is closed. Under normal circumstances staff is in the building, and allow use of the meeting room until 15minutes before closing. This new option will allow for use of the meeting room for up to 2 hours after closing, with staff in place to maintain the security of the building after the meeting room use is over and to be sure, that rules for use are followed.

STAFF RECOMMENDATION: It is recommended that the use of the room will be limited to 2 hours after normal closing hours only on days of normal operation. The fee of \$30.00 per hour for room use is non-refundable and is to be paid at the time of the reservation. Fees are paid (in full), 2 weeks in advance of room use to secure the room. This allows for staffing adjustments and set up needs to be addressed if needed.

Additional fees will be assessed based on needs of the meeting room user (see fee schedule attached).

IMPACT: This nominal fee will be an income source that would cover the overtime (if needed) for staffing that would be in place for after-hours meeting.

MOTION:



<u>Policy</u>	<u>Date Approved by WGRLS Board</u>
Meeting Room Policy	9/2007, 5/25/2021

Purpose:

West Georgia Regional Library System (“WGRLS”) provides meeting room space as a service to the community for use by individual groups and/or organizations.

Policy:

The general policies and procedures for the use of the meeting rooms in libraries in WGRLS are within the jurisdiction of the West Georgia Regional Library System Board. Each individual library governing body may establish a meeting room policy for the libraries in that county as long as they are not in conflict with the regional policy.

The responsibility for implementing the meeting room policy and for scheduling the use of meeting rooms at each member library rests with the member library manager in charge of the building or their designated representative.

Who May Use the Meeting Room

WGRLS meeting rooms, while primarily a space for the library to use in the provision of library events, may be reserved when available. All non-library activities in the library’s meeting rooms must be free of charge and open to the public. The meeting rooms may not be reserved for:

- a. Commercial meetings or gathering help for financial gain or furthering a commercial interest. Any goods or services sold must be pre-approved by the library manager.
- b. Non-library programs or classes that require a payment for attending.
- c. Private social gatherings such as showers, parties, family reunions, etc.
- d. Campaign rallies or as an election night headquarters.

Reserving the Meeting Room

Library related functions will be given first priority. Other requests will be filled on a first-come, first-served basis.

Requests for the use of meeting space must be made in person by completing an application form at the member library least one week in advance of the meeting. The individual member libraries may collect a charge to reserve the meeting room. ¹Non-profit groups will not be charged for the use of the meeting rooms. However, individual libraries may charge a refundable security deposit at the discretion of the library governing body.

An up-to-date PINES card is required to make reservations, and charges for any damage caused to the room will be placed on the account of the individual who made the reservation. Non-profit organizations do not require a PINES card to reserve a room, but are still responsible for damages to the space.

Meeting rooms are available for use during normal library hours and must be completely vacated by closing time. Use of the meeting rooms outside of normal library hours is subject to approval by the library governing body and the member library manager.

At the discretion of the library governing body and the member library manager, groups may reserve meeting rooms on a continuing basis. However, groups may not reserve meeting room space more than ninety days in advance.

Groups holding reservations are requested to notify the library of any cancellation at the earliest possible date in order to free the meeting room for other groups. Member library managers must keep a calendar of scheduled use of the meeting rooms. This calendar must be available at the circulation desk or at a location accessible to the supervisor on duty and to the public.

Additional Rules For Meeting Room Use

1. Attendance at meetings must be limited to the specified capacity of the room, with open aisles maintained within the seating arrangement to provide clear access to exits.
2. The length of time needed for the meeting should include time for those organizing the meeting to set up the room and put it back in order at the end of the meeting.
3. The determination of whether staff or kitchen facilities may be used is made by the member library manager.
4. Meeting organizers should discuss and arrange audio/visual setup requirements when filling out the meeting room reservation form.

¹ Nonprofit organizations are defined as those organizations with proof of incorporation as a nonprofit or charitable entity; any organization recognized as a service organization; or any local group meeting for a specific not-for-profit purpose.

² For-profit organizations are defined as a group or organization whose purpose is to conduct operations to realize a financial profit.

5. Permission to use the library meeting rooms may be withheld from groups or individuals who damage the room carpet, equipment, or furniture, or failure to comply with this and other WGRLS policies.
6. Use of the meeting room should comply with other WGRLS policies and the Code of Conduct. Groups or individuals who do not do so will be asked to leave.
7. Use of the library's meeting rooms does not constitute endorsement by the library of points of view expressed by the group. Any advertisements of the meeting should have the phrase *The West Georgia Regional Library System does not advocate or endorse the viewpoints of meetings or meeting room users.* The library's name, address, or telephone number should not be used as the contact information for the group or organizer.



Villa Rica Meeting Room Reservation Form

Please Print

Organization Name _____ Representative _____

Is this a non-profit organization _____ If not,
please list PINES Card of Representative _____

Phone _____ Email _____

Expected activity _____

Date(s) Requested _____
Program begins at _____ Program ends at _____

Audiovisual (A/V) Equipment may be available. Please check with the Library Manager about A/V needs then use this space to list items you will be checking out the day of your meeting.

Other Equipment such as kitchen space, lecterns, and dry erase boards may be available. Please check with the Library Manager then use this space to list other items you will be using:

Library staff will not set up chairs and tables in your meeting room or be responsible for items left in the rooms. The length of time needed for the meeting should include time to set up the room and put it back in order at the end of the meeting. Please arrive 15-20 minutes early to set up chairs and tables as needed.

I have received and read the Meeting Room Policy and understand the regulations included. I understand that any failure to abide by this policy, by myself, or my group, may result in a loss of future use of the meeting room, both at this library and potentially those at other West Georgia Regional Library System libraries. I accept responsibility for all damage caused to the building, furnishings or equipment beyond normal wear and/or usage as determined by library staff.

Organization Representative Signature
Date

Library Manager Signature for Approval and Date



Villa Rica After-Hours Fees and Guidelines

Reservations will only be made for library cardholders in good standing

- After-hours use will be limited to a maximum of 2 hours after normal closing hours.
- Applicable fees are to be paid 2 weeks in advance of reservation check-in.
- Payments are non-refundable and are to be in cash.

If you are going to use AV equipment, it is suggested that presenter comes to test all equipment compatibility in advance of the meeting to be confident that all systems comply with needs for the meeting. We are not responsible for incompatibility of room equipment with users' equipment.

After hours Meeting room information		Rates
Capacity: 1-50		\$30.00 per hour
Set up One of the following can be requested in advance	Classroom Boardroom Auditorium	AV set up – In Advance – \$10 AV set up Day of the event \$25
Cleaning fee	Assessed with photo documentation if necessary	\$50.00 flat fee that will be applied to the library card of the person that has requested the meeting space
Late fee (more than ½ an hour after scheduled end)	Groups who stay later than their requested time will be charged a \$25 late fee	For each ½ hour, an additional charge of \$25 dollars will be added to the card of the person that has reserved the room as a fine.
Damage Fees	Varies based on the cost to replace or repair damaged items	

Anyone 18 years or older wishing to reserve the meeting room must possess a library card in good standing. A library card in good standing has less than \$10 in fines, and is eligible to check out items.

Library Manager Signature for approval _____ Date _____



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Bathroom Renovations at Gold Dust
AGENDA DATE: August 10th, 2021

DATE PREPARED: July 29th, 2021
PREPARED BY: Nic Griffin

AMOUNT: \$13,050.00
GL ACCOUNT #: 350-6110-541320
FUNDING SOURCE: GF
BUDGETED ITEM? Yes

PURPOSE: To renovate the bathrooms at Gold Dust Recreation Facility.

BACKGROUND: Currently, the bathrooms at Gold Dust are original to the building with the exception of the waterless urinals in the men's bathroom. The partitions are of pvc type and have been carved in and damaged over the years. The fixtures are outdated and stained. The walls need fresh paint. Staff would like to replace the waterless urinals with normal flush type urinals. These waterless urinals tend to give off an awful odor in short time. Staff replaces the cartridges four times a year. The cartridges are usually around \$40-\$60 per. Staff met with multiple contractors for this project but only received two bids. The bids are below.

Company	Quote
Peavy Construction	\$13,050.00
CH&S Contracting	\$17,800.00

STAFF RECOMMENDATION: Staff recommends engaging Peavy Construction for this work. The scope will include:

- Replacing all toilets with commercial grade
- Replacing all sinks with commercial grade
- Replacing all water-less urinals with Water supplied urinals.
- Replacing the partitions with new metal partitions.
- Painting the entirety of the bathrooms. (colors to be determined.)
- Replacing any ceiling tiles that are damaged and discolored.

IMPACT: This will give the visitors and staff at Gold Dust a nice bathroom facility.

MOTION:

I move that we authorize the City Manager to engage Peavy Construction to renovate the restrooms at Gold Dust Park in an amount not to exceed \$13,050.00.

Peavy Enterprises Inc.

728 Caravan Ct
Villa Rica, GA 30180 US
(404) 408-4211
robert@peavyenterprises.com
http://www.peavyenterprises.com

**Estimate****ADDRESS**

City of Villa Rica Building and Fleet Manager. (Nic Griffin)
106 Temple st.
Villa rica, ga 30180

ESTIMATE
DATE

1012
07/29/2021

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	Bathroom Reno at Gold Dust Rec. Dept.	1	13,050.00	13,050.00
	Replacing all toilets with commercial grade			
	-Replacing all sinks with commercial grade			
	-Replacing all water-less urinals with Water supplied urinals.			
	-Replacing the partitions with new metal partitions.			
	-Painting the entirety of the bathrooms. (colors to be determined.)			
	-Replacing any ceiling tiles that are damaged and discolored.			

This Document shall serve as a contract between Peavy Enterprises Inc and for the above scope and price. If agreeable, please accept to schedule.

TOTAL

\$13,050.00

Thank you!

Accepted By

Accepted Date

106 Hamilton Lane

Bid Prepared for:

City of Villa Rica
571 W Bankhead Hwy

Villa Rica, GA 30108

Date of Bid:

July 29, 2021

[illegible]



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Bathroom Renovations at V-Plex
AGENDA DATE: August 10th, 2021

DATE PREPARED: July 29th, 2021
PREPARED BY: Nic Griffin

AMOUNT: \$10,450.00
GL ACCOUNT #: 350-6110-541330
FUNDING SOURCE: GF
BUDGETED ITEM? Yes

PURPOSE: To renovate the bathrooms at the V-Plex Civic Center.

BACKGROUND: Currently, the bathrooms at Civic Center are original to the building with the exception of the waterless urinals in the men's bathroom. The partitions are steel and have been carved in and damaged over the years. The fixtures are outdated and stained. The walls need fresh paint. Staff would like to replace the waterless urinals with normal flush type urinals. The bids are below.

Company	Quote
Peavy Construction	\$10,450.00
Marty Smith	\$14,775.00

STAFF RECOMMENDATION: Staff recommends engaging Peavy Construction for this work. The scope will include:

- Replacing all toilets with commercial grade
- Replacing all sinks with commercial grade
- Replacing all water-less urinals with Water supplied urinals.
- Replacing the partitions with new metal partitions.
- Painting the entirety of the bathrooms. (colors to be determined.)
- Replacing any ceiling tiles that are damaged and discolored.

IMPACT: This will give the visitors and staff at the Civic Center a nice bathroom facility.

MOTION:

I move that we authorize the City Manager to engage Peavy Construction to renovate the restrooms at Gold Dust Park in an amount not to exceed \$10,450.00.

Peavy Enterprises Inc.

728 Caravan Ct
Villa Rica, GA 30180 US
(404) 408-4211
robert@peavyenterprises.com
http://www.peavyenterprises.com



Estimate

ADDRESS

City of Villa Rica Building and Fleet Manager. (Nic Griffin)
106 Temple st.
Villa rica, ga 30180

ESTIMATE

1010

DATE

07/28/2021

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	Bathroom Reno at V-Plex Civic center	1	10,450.00	10,450.00
	Replacing all toilets with commercial grade			
	-Replacing all sinks with commercial grade			
	-Replacing all water-less urinals with Water supplied urinals.			
	-Replacing the partitions with new metal partitions.			
	-Painting the entirety of the bathrooms. (colors to be determined.)			
	-Replacing any ceiling tiles that are damaged and discolored.			

This Document shall serve as a contract between Peavy Enterprises Inc and for the above scope and price. If agreeable please accept to schedule.

TOTAL

\$10,450.00

Thank you!

Accepted By

Accepted Date

City of Villa Rica

571 W Bankhead Hwy
Villa Rica, GA 30108

July 29, 2021

[illegible]



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Avanti Building and Welcome Center Exterior Painting
AGENDA DATE: August 10, 2021

DATE PREPARED: July 29th, 2021
PREPARED BY: Nic Griffin

AMOUNT: \$21,500
GL ACCOUNT #: 275-7540-572010
FUNDING SOURCE: Tourism Product Development
BUDGETED ITEM? No

PURPOSE: To have the Avanti Building and Welcome Center's exterior painted.

BACKGROUND: The Avanti Building and Welcome Center has paint that is peeling and faded. The metal on the front is faded as well. The building would look great with new paint. Staff has met with multiple contractors and has paint renderings of how the facility would look with a new color scheme.

STAFF RECOMMENDATION: Staff recommends engaging with Harrison Contracting Company to paint our facility. This company is local being located in our industrial park. They have a great portfolio and stand behind their work. This company also painted the Library when it was built. They have gone above and beyond with providing renderings, color choices, and recommendations. Though their bid was not the lowest, Staff believes this company will perform the best quality job.

Company	Quote
Peavy Enterprises Inc	\$24,735.00
Harrison Contracting Company	\$21,500.00
Five Start Painting	\$17,820.70

IMPACT: Painting this building would benefit downtown and show other business owners that we are taking care of City owned facilities as well. Staff wants the appearance of the building to be inviting to guests and visitors.

MOTION:

I move that we authorize the City Manager to engage Harrison Contracting to paint the Avanti building in an amount not to exceed \$21,500.



65 East Industrial Ct.
Villa Rica, GA 30180
888.456.4011 TOLL FREE
770.949.5776 OFFICE
770.920.5925 FAX

www.HARRISONCONTRACTING.com

QUOTE DATE
6/23/2021
VALID THRU
8/23/2021

ATTN: Nic Griffin
TO: City Of Villa Rica

QUOTE DESCRIPTION: Welcome Center

NOTE DETAIL:

Harrison Contracting Company, Inc.(HCC) proposes to provide the materials, labor, equipment, taxes and insurance to repaint the exterior of the Welcome Center located at 106 Temple Street, Villa Rica, GA 30180 as described in the scope below

MAIN SCOPE:

Areas to be painted:

- Metal siding
- CMU walls
- Gutters and downspouts
- Man Doors
- Roll up doors
- I-beams
- Bollards
- Metal Vents

Exclusions:

- Artwork/murals
- Tower Structure
- Brick(See Alt 1 for price to prime and paint brick)
- Store front doors
- Window Frames
- Walking surfaces
- Decking
- Any areas not mentioned in the areas to be painted above

Prep Work:

- Pressure wash areas to be painted
- Scrape peeling paint
- Remove loose rust
- Spot prime tight rust
- Block fill bare CMU

Finish Coat:

- Top Coat metal siding, cmu walls, gutters and downspouts with Sherwin Williams Ext Latex Satin
- Top Coat I-beams, Man Doors, handrails and bollards with Sherwin Williams DTM acrylic
- Top Coat Roll up doors with Sherwin Williams Pro Industrial Wb Alkyd Urethane

Alternate 1:

- Prime and back brick on the front of the building

Notes:

- 1.1-This proposal is to paint the left side of the building and the front of the building only. Right and back of the building will be excluded
- 1.2-Owner to provide access to power and water for the duration of the project
- 1.3-Leaking gutters to be repaired/replaced by owner prior to starting project
- 1.4-Alternate must be completed at the same time as the main scope for the price to be valid

TAMPA DESTIN/FT. WALTON ATLANTA SAVANNAH DALLAS/FT. WORTH



65 East Industrial Ct.
Villa Rica, GA 30180
888.456.4011 TOLL FREE
770.949.5776 OFFICE
770.920.5925 FAX

www.HARRISONCONTRACTING.com

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED
1	Exterior repaint as described in the scope above	\$20,500.00	\$20,500.00
1	ALT 1 to prime and paint brick on front of the building	\$1,000.00	\$1,000.00



Chris Robinson

Business Development – Atlanta
Harrison Contracting Company

770.949.5776 Office
888.456.4011 Toll Free
770.694.9862 Mobile

www.harrisoncontracting.com

Rely on
RED
RELIABLE EXPERIENCED DILIGENT

Rely on
RED
RELIABLE EXPERIENCED DILIGENT

Quote#: 4086 Title: Exterior Quote

Date: 07/29/2021

Estimator: John DeShane

Cell Phone: (404) 450-9287 Office Phone: (678) 392-3909

Mailing Address: 4210 Singletree Dr., Douglasville GA 30135



Customer Quote

Locally Owned and Independently Operated

Nick Griffin
dgriffin@villarica.org
(470) 725-2701

Billing: 106 temple st
villa rica, GA 30180

Service: 106 temple st
villa rica, GA 30180

Details

- Address Numbers: Address numbers will be removed from house to allow proper painting procedures.
- Cleaning: We will clean the site daily and upon completion.
- Tarping: Tarps or drop cloths will be used to catch falling debris and loose paint chips when scraping.
- Loose Nails: Hammer in loose nails to secure loose boards.
- Sanding: Sand specified areas to de-gloss surface, to allow for proper adhesion, and/or minimize rough edges due to scraping.
- Caulking: Caulk all gaps and cracks to seal and protect against moisture. Elastomeric product has a 60 year warranty.
- Power Washing: Remove dirt, mildew, cobwebs and other debris to allow for proper paint adhesion and expose areas needed for scraping.
- Woodpecker Holes: All woodpecker holes will be filled prior to painting.
- First coat of paint will be allowed proper time to dry before second coat is applied (where applicable).
- Five Star team to clean up daily, and a thorough clean up at job completion.
- Five Star will conduct a thorough walk-around with the customer to ensure nothing is missed.

Power Wash

Power Washing: Remove dirt, mildew, cobwebs and other debris to allow for proper paint adhesion and expose areas needed for scraping.
Labor: \$1,181.25

Masking (Lin Ft.)

Masking: Mask and cover areas (such as windows, brick, patios) to prevent overspray.
Labor: \$320.00

Front block wall

Primer: Loxon Exterior Primer NA NA (1 Coat)
Paint: Loxon XP Color 1 Flat (1 Coat)
Labor: \$1,780.80

Side block wall

Primer: Loxon Exterior Primer NA NA (1 Coat)
Paint: Loxon XP Color 1 Flat (1 Coat)
Labor: \$3,476.40

Metal in docks

Paint: Bond Plex Color 1 Semi Gloss (1 Coat)
Labor: \$312.00

SFG

Paint: Sherwin Williams Superpaint White Gloss (2 Coats)
Labor: \$1,326.16

Outside Trim	Outside Trim	Outside Trim
Doors	Jambs	Misc. Trim
Count: 5	Count: 5	Paint: DTM Acrylic Color 1 SG (2 Coats)
Paint: Bond Plex Color 1 Semi Gloss (2 Coats)	Paint: Bond Plex Color 1 Semi Gloss (2 Coats)	Labor: \$382.51
Labor: \$225.00	Labor: \$150.00	

Outside Trim	Bollards	Equipment rental allowance
Double Garage Door Only	Posts	paint : (0 Coat)
Count: 4	Paint: Industrial Enamel Safety Yellow	Labor: \$0.00
Paint: Bond Plex Color 1 Semi Gloss (2 Coats)	Gloss (2 Coats)	Material: \$2,307.56
Labor: \$290.00	Labor: \$23.60	

Total
Materials: \$9,074.75
Labor: \$9,467.72
Multicolor Charge: \$250.00
Subtotal: \$18,792.47
Discount: \$971.77
Total: \$17,820.70
Payment: \$0.00
Balance Due: \$17,820.70

We propose hereby to furnish material and labor - complete in accordance with above specifications for the sum stated above. Any alteration or deviation from the specification involving extra costs will become an extra charge over and above the quote. All accounts are due and payable upon completion of work as described above. In the event suit is brought, the prevailing party shall recover its attorney fees and costs. Finance charge of 1.5% per month will be applied on all past due accounts. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. This proposal may be withdrawn if not accepted within 15 days.

I hereby grant Five Star Painting permission to use my, and my property's, likeness in a photograph, video, or other digital media ("photo") in any and all of its publications, including web-based publications, without payment or other consideration. I understand and agree that all photos will become the property of the Five Star Painting and will not be returned. I hereby hold harmless, release, and forever discharge the Five Star Painting from all claims, demands, and causes of action.

I agree to the payment terms and contract stated above:

Authorization to begin work (Client): _____

Work Completed to satisfaction (Client): _____

Contractor Signature: _____ Date: _____

Five Star Quality. Without the Five Star Price.
1-678-392-3909 - fivestarpainting.com

Please go to www.fivestarpainting.com/warranty-info for details on our 2 year warranty.

Quote#: 4086 Date: 07/29/2021 Estimator: John DeShane Cell Phone: (404) 450-9287 Office Phone: (678) 392-3909

Peavy Enterprises Inc.

728 Caravan Ct
Villa Rica, GA 30180 US
(404) 408-4211
robert@peavyenterprises.com
http://www.peavyenterprises.com

**Estimate****ADDRESS**

City of Villa Rica Building and Fleet Manager. (Nic Griffin)
106 Temple st.
Villa rica, ga 30180

ESTIMATE

1008

DATE

07/26/2021

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	Avanti Building Painting	1	24,735.00	24,735.00
	-Painting the cinder block exterior (murals will be removed.)			
	-Painting the brick on the front of the building (half brick and half metal)			
	-Painting the metal siding on the front of the building. (includes above and around dock doors)			
	-Painting the vertical I-Beam support (to the right of the building)			
	-Painting the gutter system and down spouts.			
	-Any additional painting required will be discussed and approved for change order.			
	- Paint 6 man doors.			
	- Paint 4 roll up doors at loading dock.			
	- Paint 1 hand rail to right of the building.			
	- Paint bollards.			

This Document shall serve as a contract between Peavy Enterprises Inc and City of Villa Rica for the above scope and price. If agreeable please accept to schedule.

TOTAL**\$24,735.00**

Thank you!

Accepted By

Accepted Date



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Block Underpinning of the Trailers at the Distribution Facility
AGENDA DATE: August 10th, 2021

DATE PREPARED: July 29th, 2021
PREPARED BY: Nic Griffin

AMOUNT: \$13,750.00
GL ACCOUNT #: 505-4440-541210
FUNDING SOURCE: GF
BUDGETED ITEM? No

PURPOSE: To have the trailers at the new Distribution Facility underpinned with concrete footings and Cinder block.

BACKGROUND: Currently the trailers are strapped with anchors for security but there is no underpinning to protect the bottom and underside of the trailers. Staff would like to have cinder block installed around the entire perimeter of the trailer. Due to the site operations with heavy equipment and the life span of cinder block, we would prefer to have this type of material instead of a vinyl style. Staff has met with multiple contractors and have only received two bids.

Company	Quote
Peavy Enterprises	\$13,750.00
Marty Smith	\$15,225.00

STAFF RECOMMENDATION: Staff recommends engaging Peavy Enterprises to install cinder block underpinning under the trailers located at the Distribution facility for the amount of \$13,750.00

IMPACT: Having these trailers underpinned provides many benefits. They include, having proper insulation, regulating temperature, deters rodent intrusion, provides foundation stability, prevents erosion, and protects the flooring and plumbing from the weather.

MOTION:

I move that we authorize the City Manager to engage Peavy Enterprises to install cinder block underpinning to our two trailers for the amount not to exceed \$13,750.00

Peavy Enterprises Inc.

728 Caravan Ct
Villa Rica, GA 30180 US
(404) 408-4211
robert@peavyenterprises.com
http://www.peavyenterprises.com

**Estimate****ADDRESS**

City of Villa Rica Building and Fleet Manager. (Nic Griffin)
106 Temple st.
Villa rica, ga 30180

ESTIMATE 1006
DATE 07/26/2021

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	Trailers cinder block under pinning	1	13,750.00	13,750.00
	-To install 6 inch cinder block for underpinning with footing to be poured out of quik crete and mortar mix as blocks are laid..			
	-To provide as much structural integrity as possible.			
	-Cinder block will have to be cut around anchors, ties, and some plumbing.			
	-To install vents (one vent per 150 sq. feet).			
	-To install access doors (one per trailer).			

This Document shall serve as a contract between Peavy Enterprises Inc and City of Villa Rica for the above scope and price. If agreeable please accept to schedule.

TOTAL**\$13,750.00**

Accepted By

Accepted Date

Villa Rica
106 Hamilton Lane
Bankhead Hwy
Bremen, GA 30110
Rica, GA 30108

Villa

Amount of Bid

[illegible]



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: To purchase a TM27 Engine for the PMGM Train
AGENDA DATE: August 10th, 2021

DATE PREPARED: July 29th, 2021
PREPARED BY: Nic Griffin

AMOUNT: \$12,296.97
GL ACCOUNT #: 100-6172-522220
FUNDING SOURCE: GF
BUDGETED ITEM? No

PURPOSE: To purchase a TM27-7001 Continental engine for the Pine Mountain train.

BACKGROUND: Currently, the engine we have in the train is original. During the past few months, the train has been experiencing a hard start/no start issue. Staff has worked diligently trying to repair and preserve the current engine. Staff has performed compression tests that showed one of the cylinders had very low compression. This is due to an internal failure. Staff has searched many different resources trying to find a replacement engine for the train. Unfortunately, these engines are not manufactured any longer. We have found a company in Tennessee that has an exact replica engine that they will rebuild for us to purchase. The train is currently running but we cannot guarantee it will run for long.

STAFF RECOMMENDATION: Staff recommends purchasing a TM27-7001 engine from Wisconsin Engines LLC.

IMPACT: Purchasing this engine will allow the staff to schedule and replace the current engine in the train. This will provide the locomotive with a freshly rebuilt engine and City staff can continue to operate the train without engine failure. Just like the trains engine, there are also old parts that have become obsolete. Staff has done its best to maintain all components of the train but we cannot guarantee that there will not be another major component failure in the future.

MOTION:

I move that we authorize the City Manager to purchase a TM27 engine from Wisconsin Engines in the amount not to exceed \$12,296.97.

Nic,

As previous discussion via phone the TM27 07001 will cost \$ 12,100.00. The TM27-LB01 long block will cost \$7500.00. We will try to turn it around within 5-7 working days once we receive the purchase order.

This will ship via CENTRAL TRANSPORT prepay & add. Freight charge on the TM27 07001 will be \$196.97 with a 1 day transit time, the freight on the TM27-LB01 will be \$ 119.46. If we ship both engines at the same time together the freight charge will be \$ 242.53.

Now we need to discuss payment terms. We will only except a cashier's check payable to WISCONSIN ENGINES LLC, due before engine ships.

WISCONSIN ENGINES LLC
10 INDUSTRIAL DR
DYER TN 38330

Let me know if you need any more info.

Thanks

Linda



Agenda Item: _____

CITY OF VILLA RICA
City Council Meeting
Agenda Item Cover Sheet

SUBJECT: 2021 SESAC Music Performance License for Municipalities
AGENDA DATE: 8.10.21

DATE PREPARED: 7.23.21
PREPARED BY: Janet Chumley

AMOUNT: \$483.00
GL ACCOUNT #: 100-7550-523600
FUNDING SOURCE: General Fund
BUDGETED ITEM? No

PURPOSE: The SESAC music performance license for municipalities is made in New York by and between SESAC LLC, a Delaware limited liability company, with offices in Nashville. The license, like ASCAP, gives The City of Villa Rica a license to entertain our customers, guests and employees the right to perform millions of works from a large musical repertoire.

BACKGROUND: The license fee amount is based upon the size of the city's population. For our city, as we are under 25,000 thus the fee is \$483.00. Like ASCAP, this will be a yearly fee. This agreement will allow for licensed music to play in any public facility within the city. By paying this license fee the city would be protected to play any SESAC music.

NOTES: The consequences of copyright infringement are very high and one fine will end up costing the city substantially more than the annual licensing fee.

STAFF RECOMMENDATION: Staff recommends approving SESAC music performance license for municipalities in the amount of \$483.00.

MOTION: I move to approve the SESAC music performance license fee for municipalities in the amount of \$483.00.

SESAC MUSIC PERFORMANCE LICENSE FOR MUNICIPALITIES

This License Agreement, including any attached and referenced Schedules (the "Agreement"), is made in New York by and between SESAC LLC ("SESAC"), a Delaware limited liability company, with offices at 35 Music Square East, Nashville, TN 37203, and

LICENSEE Information			
City of Villa Rica		("LICENSEE")	
<i>(Municipality Name)</i>			
Billing Information			
<i>(Street Address)</i>	<i>(City)</i>	<i>(State)</i>	<i>(Zip)</i>
<i>(Telephone #)</i>	<i>(Fax #)</i>	<i>(Email)</i>	

Those locations within the municipality for which the above supplied information applies (the "Municipality") which are owned, operated or leased by LICENSEE and used as governmental offices or which are otherwise under LICENSEE's sole control; and other locations within the Municipality while events under LICENSEE's sole control are occurring at such locations, are referred to herein as the "Premises."

SESAC and LICENSEE hereby mutually agree as follows:

1. GRANT OF RIGHTS

Effective as of July 1, 20²¹ (the "Effective Date"), and subject to the terms and conditions of this Agreement, SESAC grants to LICENSEE the non-exclusive right and license to publicly perform non-dramatic renditions of all of the musical compositions for which SESAC is authorized to license the public performance right (the "Compositions") solely: (i) on the Premises and (ii) via a music-on-hold system operated by LICENSEE in connection with the Municipality.

2. LIMITATIONS OF RIGHTS

A. Except as specifically described in Paragraph 1, above, nothing contained herein shall be construed as permitting LICENSEE to publicly perform, transmit, re-transmit or reproduce any Composition by any means, medium, method, device or process now or hereafter known, or as permitting LICENSEE to grant any such right to others.

B. The rights granted pursuant to Paragraph 1, above, shall exclude "Grand Rights" in and to the Compositions ("Grand Rights" include, but are not limited to, the right to perform, in whole or in part, dramatico-musical and dramatic works in a dramatic setting).

C. The rights granted pursuant to Paragraph 1, above, shall exclude performances of the Compositions: (i) which are part of a background music service originating from any location, including the Premises, which performances are authorized by SESAC pursuant to a separate license agreement, regardless of the means by which such performances are transmitted on or to the Premises, and/or (ii) by coin-operated phonorecord players ("jukeboxes"), as defined in 17 U.S.C. § 116.

D. The authorization provided in this Agreement shall be limited to public performances made in the United States of America, its territories, possessions and the Commonwealth of Puerto Rico.

E. The rights granted pursuant to Paragraph 1, above, shall exclude performances of the Compositions made as part of Sporting Events ("Sporting Events" are professional, semi-professional, major or minor league athletic competitions).

F. The rights granted pursuant to Paragraph 1, above, shall exclude performances of the Compositions made as part of Concerts, other than those promoted solely by LICENSEE ("Concerts" are those performances by an entertainer or entertainment group where the primary focus is the performance of music).

F. The rights granted pursuant to Paragraph 1, above, shall exclude performances of the Compositions made by and/or on the premises of colleges and/or universities.

G. The rights granted pursuant to Paragraph 1 exclude the right to publicly perform the Compositions during political campaign events and/or events organized by political organizations.

3. LICENSE FEE

A. In consideration of the rights granted herein, LICENSEE shall pay to SESAC an annual license fee (each, a "License Fee") for each calendar year during the Term (each, a "License Fee Period") in accordance with Schedule "A," which is attached hereto and incorporated herein.

B. Notwithstanding anything to the contrary contained in this Agreement, SESAC shall have the right, upon notice to LICENSEE, to make changes to Schedule "A." In such event, LICENSEE shall have the right to terminate this Agreement as of the date such change(s) are to take effect, provided that LICENSEE gives notice to SESAC of such termination specifically referencing this Paragraph, not later than thirty (30) days after SESAC notifies LICENSEE of such change(s). For the avoidance of doubt, annual rate adjustments made pursuant to Paragraph 3.E below shall not be considered a change to Schedule "A."

C. Notwithstanding anything to the contrary contained in this Agreement, SESAC shall have the right, but not the obligation, to verify through independent sources any information required to be reported by LICENSEE pursuant to Schedule "A," and SESAC may adjust the License Fee(s) as may be appropriate based on information obtained from such sources.

D. In the event SESAC is determined by any taxing authority or court to be liable for the payment of a gross receipts, sales, use, business use or other tax which is based on the amount of SESAC's receipts from LICENSEE, then LICENSEE shall reimburse SESAC, within thirty (30) days of notification to LICENSEE therefor, for any such tax derived from receipts received from LICENSEE.

E. Effective each January 1 following the Effective Date, the rates set forth in the Fee Schedule shall be increased by an amount equal to the percent increase in the Consumer Price Index – All Urban Consumers (CPI-U) as published by the Bureau of Labor Statistics, U.S. Department of Labor, between the most recent October and the preceding October or five percent (5%), whichever amount is greater.

4. BREACH AND CURE; LATE PAYMENT CHARGE

A. In the event LICENSEE is in default or breach of any provision of this Agreement, including failure to make any payment when due hereunder, and LICENSEE has not cured such default or breach within thirty (30) days following SESAC's notice to LICENSEE thereof, then SESAC shall have the right to terminate this Agreement in addition to pursuing any and all other rights and/or remedies.

B. SESAC shall have the right to impose a late payment charge of one and one-half percent (1.5%) per month for any License Fee payment that is more than thirty (30) days past due. SESAC shall also have the right to impose a charge of \$35.00 for each dishonored check or other form of payment. In the event SESAC incurs any expenses in connection with the collection of any amounts past due to SESAC hereunder, including but not limited to attorney's fees, LICENSEE shall be responsible for promptly paying such amounts to SESAC.

5. INTENTIONALLY OMITTED

6. TERM OF LICENSE

A. The term of this Agreement shall be for an initial period that commences on the Effective Date and continues for a period of twelve (12) calendar months (the "Initial Period"). Thereafter, this Agreement shall automatically continue in full force and effect for successive additional periods of twelve (12) calendar months (each, a "Renewal Period"). Either party may terminate this Agreement effective as of the last day of the Initial Period or as of the last day of any Renewal Period, upon advance notice to the other party specifically referencing this Paragraph at least thirty (30) days prior to the commencement of the upcoming Renewal Period. The Initial Period and any Renewal Period(s) shall be collectively referred to herein as the "Term."

B. Notwithstanding anything to the contrary contained herein, SESAC shall have the right to terminate this Agreement: (i) at any time upon notice to LICENSEE in the event LICENSEE is adjudicated bankrupt, or a petition in bankruptcy is filed with respect to LICENSEE, or LICENSEE is declared or becomes insolvent; or (ii) upon thirty (30) days' notice to LICENSEE by reason of any law, rule, decree or other enactment having the force of law, by any authority, whether federal, state, local, territorial or otherwise, which results in substantial interference in SESAC's operation or a substantial increase in the cost of conducting its business.

7. MISCELLANEOUS

A. This Agreement shall be governed by and subject to the laws of the State of New York, applicable to agreements made and to be wholly performed in New York. This Agreement supersedes and cancels all prior negotiations and understandings between SESAC and LICENSEE in connection with the subject matter hereof. If any part of this Agreement is determined invalid or unenforceable by a court of competent jurisdiction or by any other legally constituted body having the jurisdiction to make such determination, the remainder of this Agreement shall remain in full force and effect. No waiver of any breach of this Agreement shall be deemed a waiver of any preceding, continuing or succeeding breach of the same, or any other provision of this Agreement.

B. SESAC shall have the right, upon notice to LICENSEE, to withdraw from the scope of this Agreement the right to publicly perform any Composition (or collection of Compositions) as to which any action has been threatened, instituted or a claim made that SESAC does not have the right to license the performance rights in such Composition (or collection of Compositions).

C. This Agreement shall not be assignable by LICENSEE without SESAC's prior written permission. Subject to the preceding sentence, this Agreement shall be binding upon and inure to the benefit of SESAC's and LICENSEE's successors and assigns, but no assignment shall relieve SESAC or LICENSEE of its respective obligations under this Agreement. LICENSEE shall notify SESAC within thirty (30) days of any change of ownership or control of LICENSEE's operations.

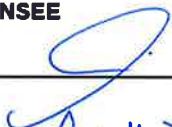
D. This Agreement shall not be valid until executed by an authorized signatory of SESAC. This Agreement has been read and is understood by both parties and contains their entire understanding with regard to the subject matter hereof. No waiver, addition or modification shall be valid unless in writing, executed with the same formality as this Agreement.

E. All notices required or permitted herein shall be in writing and deemed given to the other party hereto when sent to an address for such party set forth in this Agreement or such other address as such party may designate by written notice.

IN WITNESS THEREOF, the parties have caused this Agreement to be duly signed as of

July 1, 2021
(please insert today's date)

LICENSEE

By: 
(Signature)

Gil McDougal
(Type or Print Name)

Title: Mayor

SESAC

By: _____
(Signature)

(Type or Print Name)

Title: _____

Schedule "A" to the SESAC Music Performance License for Municipalities

1. FEE SCHEDULE/LICENSE FEE CALCULATION.

The License Fee for each License Fee Period shall be calculated using the Fee Schedule (the current version of which is set forth below), and the most recently submitted License Fee Report.

2021 Fee Schedule

<u>"Population"</u>	<u>License Fee for calendar year 2021</u>
25,000 or less	\$ 483
25,001 - 50,000	\$ 965
50,001 - 100,000	\$ 1,571
100,001 - 150,000	\$ 2,288
150,001 - 250,000	\$ 3,129
250,001 - 500,000	\$ 4,091
500,001 And over	\$5,178 + \$483 for each additional 100,000 population

2. LICENSE FEE PAYMENT.

Upon the execution of this Agreement, LICENSEE shall pay the initial License Fee to SESAC which amount shall be prorated (if applicable) to reflect payment for the period from the Effective Date through the end of such License Fee Period. The License Fee for each License Fee Period thereafter shall be submitted to SESAC on or before the commencement of such License Fee Period.

3. REPORTING.

A. Upon the execution of this Agreement, LICENSEE shall submit to SESAC a completed license fee report in the form attached hereto as Schedule "B" (each, a "License Fee Report"), which is incorporated herein. Said initial License Fee Report shall set forth the Population of the Municipality as of the Effective Date.

B. On or before each October 1 during the Term following the Effective Date, LICENSEE shall provide SESAC with an updated License Fee Report setting forth the Population of the Municipality as of the preceding September 1; provided, however, LICENSEE shall not be required to submit any License Fee Report which would contain the same Population as the most recently submitted License Fee Report.

C. All reports under this Agreement shall be submitted by LICENSEE, by electronic means if possible, in Excel or similar format if applicable, to reporting@sesac.com, or by regular mail addressed to:

SESAC
35 Music Square East
Nashville, TN 37203

4. DEFINITIONS.

"Population" means the total population of the municipality as of the most recent United States Census.

5. **CERTIFICATION.** LICENSEE hereby represents and warrants that all information which has been, or which will be, provided by LICENSEE pursuant to this Schedule "A" to be complete, true and accurate.

**Schedule "B" to the SESAC Music Performance License for Municipalities
License Fee Report Form**

A.	Municipality Name	City of Villa Rica
B.	Municipality Population	15,392
C.	Information Applicable as of	Most recent data

GENERAL DISCLOSURE STATEMENT

This is notice that, in compliance with state music licensing statutes, SESAC LLC ("SESAC") is required to provide you with the following information, in writing, at least seventy-two (72) hours prior to the execution of any contract requiring you to pay license fees to SESAC.

- (1) The performing rights license agreement you have been offered by SESAC contains a schedule of the rates and terms of license fees under the contract, and upon your request amounts and terms of any discounts offered to proprietors of comparable businesses in your area. Be advised that the rates and terms of SESAC's performance rights license are contained within the body of the license and the fee schedule attached thereto and made a part thereof.
- (2) SESAC has a toll-free telephone number 800-826-9996, from which you may obtain answers to inquiries concerning SESAC's repertory.
- (3) You may obtain, upon written request, and at your sole expense, the most current available list of SESAC affiliated writers and publishers and/or those copyrighted musical works in SESAC's repertory.
 - a. SESAC's repertory and list of affiliates may also be accessed and/or downloaded free of charge at www.sesac.com.
 - b. SESAC's electronic address is customerservice@sesac.com. Any request for the most current list of SESAC's repertory or affiliates should be addressed to SESAC LLC, 35 Music Square East, Nashville, TN 37203; Attention: Licensing Department. If you request a printed copy, you will be charged the actual cost of the copy which will be communicated to you in advance.
- (4) SESAC complies with all federal law and orders of courts having appropriate jurisdiction regarding the rates and terms of license fees and the circumstances under which licenses for rights for public performances are offered to any proprietor.
- (5) This is notice that you are entitled to the information as provided herein, and that failure of SESAC to provide this information is unlawful and you may be entitled to bring an action against SESAC or assert a counterclaim in an action brought by SESAC.

STATE SPECIFIC DISCLOSURES

- (1) **Alaska** (AS § 45.45.500): The most current list of SESAC's affiliates and the works in SESAC's repertory is additionally available through the Cabaret Hotel and Restaurant Retail Association.
- (2) **Arkansas** (Ark. Code § 4-76-103): See General Disclosure Statement.
- (3) **California** (CA Bus. & Prof. Code § 21750): See General Disclosure Statement.
- (4) **Colorado** (C.R.S. § 6-13-102 et seq):
 - a. SESAC shall publish and file with the secretary of state its form contracts and a schedule of fees it charges a proprietor to license music for public performance. A link to the schedule shall be filed with the secretary of state, who publishes the link.
 - b. Upon request from the secretary of state, SESAC shall provide information concerning a proprietor's rights and duties for public performances. The secretary of state must post the information on the secretary's website.
 - c. SESAC shall publish a catalog of musical works the society licenses. A link to the catalog shall be filed with the secretary of state, who publishes the link.
 - d. You should consider obtaining a separate license or other form of authorization from those performing rights societies or copyright owners whose copyrighted musical works are not licensed pursuant to SESAC's performance rights contract.
- (5) **Florida** (FL Stat. § 501.93):
 - a. A copy of each form of contract or agreement offered by SESAC to a proprietor in this state shall be made available upon request of any proprietor.
 - b. You should consider obtaining a separate license or other form of authorization from those performing rights societies or copyright owners whose copyrighted musical works are not licensed pursuant to SESAC's performance rights contract.
- (6) **Idaho** (ID Code § 48-1303): See General Disclosure Statement.
- (7) **Illinois** (815 ILCS 637/10): See General Disclosure Statement.
- (8) **Indiana** (IC 32-37-3): See General Disclosure Statement.
- (9) **Iowa** (IA Code § 549.3): See General Disclosure Statement.

- (10) **Kansas** (KS Stat. § 57-222): See General Disclosure Statement.
- (11) **Maryland** (MD Comm. L. Code § 11-1402): See General Disclosure Statement.
- (12) **Michigan** (MI Comp. L. § 445.2104):
- Upon request, a schedule of the rates and terms of license fees under contracts offered to proprietors of comparable businesses in Michigan within the past 12 months can be made available.
 - There are exemptions that may exclude you from liability under the copyright laws. The United States Copyright Act is set forth at 17 U.S.C. §§ 101 et. seq. Exemptions under that Act are set forth at 17 U.S.C. §§105 - 110. Please contact your attorney for advice as to the applicability of any exemptions to your premises.
- (13) **Minnesota** (MN Stat. § 325E.51): See General Disclosure Statement.
- (14) **Missouri** (MO Rev. Stat. § 436.155): SESAC shall file a printed listing of works licensed by SESAC with the attorney general, and provide or make available, upon request, a listing on suitable electronic media to bona fide trade associations representing groups of proprietors. A list shall be provided to the proprietor by electronic or other means, solely at the proprietor's expense.
- (15) **Nebraska** (NB Rev. Stat. § 59-1403.02(1)(b)): An electronic copy of each form of contract or agreement offered by SESAC to any proprietor in this state shall be made available upon request of any proprietor.
- (16) **New Jersey** (NJ Rev. Stat. § 56:3A-3):
- SESAC shall make available in electronic form on the largest nonproprietary cooperative public computer network a current list of not less than the titles of the performed copyrighted musical works for which SESAC collects license fees on behalf of copyright owners and shall update the list at least weekly and shall provide the electronic address to the Secretary of State.
 - Upon request, any person may view the list in electronic form through the Office of the Secretary of State.
- (17) **New York** (NY Arts & Cult. Aff. L. § 31.04): See General Disclosure Statement.
- (18) **North Dakota** (ND Cent. Code § 47-21.2-02): See General Disclosure Statement.
- (19) **Oklahoma** (15 OK Stat. § 15-790): SESAC shall give annual notice, in a form prescribed by the Attorney General, that the proprietor is entitled to a schedule or the rates and terms of license fees under the contract.
- (20) **Oregon** (OR Rev. Stat. § 647.700): See General Disclosure Statement.
- (21) **Texas** (TX OCC § 2102.0003): See General Disclosure Statement.
- (22) **Utah** (UT Code § 13-10a-4): See General Disclosure Statement.
- (23) **Virginia** (VA Code § 59.1-461): SESAC shall file with the State Corporation Commission a certified copy of each form of document that is used by SESAC to enter into a contract with a proprietor doing business in the state and that SESAC will make available, upon your written request, at your sole expense, copies of such documents as are filed with the department.
- (24) **Washington** (WA Rev. Code § 19.370.070): See General Disclosure Statement.
- (25) **West Virginia** (WV Code § 47-2A-3): SESAC shall, at least annually, provide notice of the license fee rate and the means of its computation to proprietor. The notice shall be satisfied if the copyright owner or SESAC publishes the required information in a Class II-0 legal advertisement in a qualified newspaper published in this state with a bona fide circulation of forty thousand or more, or if the copyright owner or SESAC files copies of its license agreements containing the information required under subsection (a) of this section with the secretary of state's office.
- (26) **Wisconsin** (WI Stat. § 100.206):
- Upon written request, and at your sole expense, SESAC shall make the most current list of affiliates and repertory filed with the Wisconsin Department of Agriculture, Trade, and Consumer Protection available.
 - SESAC shall file with the Wisconsin Department of Agriculture, Trade and Consumer Protection a certified copy of each form of document that is used by SESAC to enter into a contract with a proprietor doing business in the state and that SESAC shall make available, upon your written request, at your sole expense, copies of such documents as are filed with the department.
- (27) **Wyoming** (WY Stat. § 40-13-302): See General Disclosure Statement.



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.

RESOLUTION
CITY OF VILLA RICA

WHEREAS, the Georgia Department of Transportation is considering the construction of a road with its western terminus at the intersection of Highway 101 and Rockmart Road and with its eastern terminus at the intersection with Highway 61 just north of Punkintown Road; and

WHEREAS, the Georgia Department of Transportation has requested the approval and support of the City of Villa Rica to subsequently make changes to the State Highway System as specified in the attached Order of the Commissioner 3131C; and

WHEREAS, the Georgia Department of Transportation has requested that the City accept title, maintenance, utility accommodation, and ownership of the property for both the roadway to be removed from the State Highway System and the public roadway to be constructed and added to the State Highway System; and

WHEREAS, the City of Villa Rica does desire to indicate to the Georgia Department of Transportation that it does support the system changes and agrees to accept responsibility for both sections of roadway.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City does desire to indicate its support for the changes to State Highway System and its willingness to accept title, maintenance, utility accommodation, and ownership of the properties; and

IT IS FURTHER RESOLVED that the Mayor and Clerk are authorized to execute both the attached resolution for intersection improvements and the attached resolution for removal or abandonment.

IT IS SO RESOLVED, this _____ day of March, 2021.

Gil McDougal, Mayor

ATTEST:

Alisa Doyal, City Clerk



State Highway System Revision

Order of the Commissioner

Document Reference Number: 3131C

Project Identification: 631490

County: Carroll

City: Villa Rica

Project Description: State Route 61 Relocation

System Revision Date: 11/2/2020

WHEREAS, the Commissioner of the Georgia Department of Transportation (hereinafter called the "Department"), under the authority vested in him by the State of Georgia, notifies the City of Villa Rica and the Carroll County Board of Commissioners (hereinafter called the "Local Government") that the State Highway will be revised as described herein; and

NOW THEREFORE, in the interest of the traveling public, the Commissioner of the Georgia Department of Transportation does hereby order and direct that the State Highway System be revised as detailed in the Description.

Revisions



1. Removing a State Route in Common

The Department intends to remove a State Route designation from an existing State Route roadway as detailed in the Description. This will result in an administrative data change and a change in route signage. It will not result in any physical construction to the roadway.



2. Re-designation of a State Route

The Department intends to change the designation of an existing State Route roadway as detailed in the Description. This will result in an administrative data change and a change in route signage.



3. State Route Addition

The Department intends to construct a new section or multiple sections of a State Route as detailed in the Description. Projected State Route designations will be assigned to proposed major realignments or new construction. The Projected State Route designation, usually beginning and ending at an intersection will remain in effect until construction is completed and the roadway is 'open to traffic'. 'Open to traffic' is defined as unimpeded traffic flow in all lanes; all construction barriers and barrels have been removed from the entire roadway project.

☐

4. State Route Obliteration

The Department intends to permanently obliterate a section or multiple sections of a State Route as detailed in the Description. The physical pavement or other surface material will be removed from the roadway and the roadway will not be open to the traveling public.

☒

5. Adding a State Route in Common

The Department intends to add a State Route designation to an existing State Route roadway as detailed in the Description. This will result in an administrative data change and a change in route signage. It will not result in any physical construction to the roadway.

☐

6. Intersection Improvements

- a. The Department intends to make improvements or has already made improvements to short sections of roadways (approximately 1/4 of a mile or less) at intersections that are necessary for seamless traffic transitions.
- b. With the completion of the project, the Local Government will accept for title, maintenance, utility accommodation, and ownership of the property of public roadways that were constructed, re-aligned, or widened as a part of this State Highway Project. The Local Government does hereby resolve that with the completion of the project the Local Government shall formally accept these roads into its official system of roads.
- c. **This condition requires a Local Government signature and an Authorizing Resolution: Intersection Improvements.**

☐

7. State Route Removal or Abandonment

- a. The Department intends to permanently remove a section or multiple sections of a State Route from the State Highway System as detailed in the Description.
- b. The Local Government will accept title, maintenance, utility accommodation, and ownership of the property for the roadway removed from the State Highway System. The Local Government does hereby resolve to formally accept the roadway(s) into its official system of roads.
- c. **This condition requires a Local Government signature and an Authorizing Resolution: State Route Removal or Abandonment.**

☐

8. Local Roadway(s) Transfer to the State Highway System (SHS)

- a. The Department intends to permanently accept a local roadway(s) as detailed in the Description as part of the State Highway System.
- b. The Department will accept title, maintenance, utility accommodation, and ownership of the property for the roadway(s) added to the State Highway System.

☒

9. Temporary State Route Removal

- a. The Department intends to permanently remove the Temporary State Route designation(s) as detailed in the Description. This will result in an administrative data change only and will not result in any physical changes to the roadway.
- b. Title, maintenance, utility accommodation, and ownership of the property for the roadway(s) will remain with the Local Government.

Description

County: Carroll

City: Villa Rica

Project Description: State Route 61 Relocation

Revision Type:	State Route Addition
Route Type:	State Route
Route Number:	61
U.S. Route:	N/A
Beginning Intersection or Junction:	Industrial Boulevard (State Route 101) and Rockmart Road (Villa Rica City Street 841)
Ending Intersection or Junction:	State Route 61 and Punkintown Road (Villa Rica City Street 802)
Total State Highway System Mileage Change:	Addition of approximately 1.92 miles
Comments:	Revision #1-To be designated as State Route 1213 until opened for State Route service

Revision Type:	Temporary State Route Removal
Route Type:	State Route
Route Number:	1213TA
U.S. Route:	N/A
Beginning Intersection or Junction:	the intersection of State Route 61 and Punkintown Road (Villa Rica City Street 802)
Ending Intersection or Junction:	State Route 8 Connector
Total State Highway System Mileage Change:	Removal of approximately 1.52 miles
Comments:	Revision #A-Removal of Temporary State Route Designation 1213TA (Project P.I. 662540 will no longer be actively pursued in this order)

Revision Type:	State Route Removal or Abandonment
Route Type:	State Route
Route Number:	61
U.S. Route:	N/A
Beginning Intersection or Junction:	South Carroll Road (Villa Rica City Street 841) and State Route 8/US Route 78
Ending Intersection or Junction:	State Route 61, the proposed Villa Rica Bypass, and Punkintown Road (Villa Rica City Street 802)
Total State Highway System Mileage Change:	Removal of approximately 1.56 miles
Comments:	Revision #3-To become effective when SR-1213 is opened for State Route service

Revision Type:	Removing a State Route in Common
Route Type:	State Route
Route Number:	61
U.S. Route:	N/A
Beginning Intersection or Junction:	State Route 8/ US Route 78 and State Routes 61/101
Ending Intersection or Junction:	South Carroll Road (Villa Rica City Street 841) and State Route 8/ US 78
Total State Highway System Mileage Change:	No mileage change
Comments:	Revision #4

Revision Type:	Adding a State Route in Common
Route Type:	State Route
Route Number:	61
U.S. Route:	N/A
Beginning Intersection or Junction:	State Route 8/ US Route 78 (West Bankhead Highway) and State Route 101
Ending Intersection or Junction:	Rockmart Road and proposed Villa Rica Bypass
Total State Highway System Mileage Change:	No mileage change
Comments:	Revision #5



Signatures

GEORGIA DEPARTMENT OF TRANSPORTATION:

Commissioner: _____

Date: _____

Treasurer: _____

Date: _____

LOCAL GOVERNMENT:

By: _____
Mayor, City of Villa Rica

Date: _____

Attest: _____
Clerk, City of Villa Rica

Date: _____

LOCAL GOVERNMENT:

By: _____
Chairman, Carroll County Board of Commissioners

Date: _____

Attest: _____
Clerk, Carroll County

Date: _____

Document Reference Number: 3131C



State Highway System Revision

Authorizing Resolution for Removal or Abandonment

Document Reference Number: 3131C
Project Identification: 631490
County: Carroll
City: Villa Rica
Project Description: State Route 61 Relocation
System Revision Date: 11/2/20

WHEREAS, the City of Villa Rica and Carroll County (hereinafter called the "Local Government") is being notified that the Georgia Department of Transportation (hereinafter called the "Department") intends to permanently remove a section or multiple sections of a State Route from the State Highway System as stated in the Project Description above; and

WHEREAS, the Local Government agrees that it is in the interest of all parties for the Local Government to accept title, maintenance, utility accommodation, and ownership of the property for the roadway removed from the State Highway System; and

NOW THEREFORE, BE IT RESOLVED by the Local Government that the City of Villa Rica is hereby authorized to formally accept the roadway(s) into its official system on behalf of the Local Government, and that a copy of this Resolution will be furnished to the Department.

Local Governments:

By: _____
Mayor, City of Villa Rica

Date: _____

Attest: _____
Clerk, City of Villa Rica

Date: _____

By: _____
Chairman, Carroll County Board of Commissioners

Date: _____

Attest: _____
Clerk, Carroll County

Date: _____



State Highway System Revision

Authorizing Resolution for Intersection Improvements

Document Reference Number: 3131C
Project Identification: 631490
County: Carroll
City: Villa Rica
Project Description: State Route 61 Relocation
System Revision Date: 11/2/20

WHEREAS, the City of Villa Rica and Carroll County (hereinafter called the "Local Government") is being notified that the Georgia Department of Transportation (hereinafter called the "Department") intends to make improvements or has already made improvements to short sections of roadways at intersections that are necessary for seamless traffic transitions; and

WHEREAS, with the completion of the project, the Local Government will accept for title, maintenance, utility accommodation, and ownership of the property of public roadways that were constructed, re-aligned, or widened as a part of this State Highway Project; and

NOW THEREFORE, BE IT RESOLVED by the Local Government that the City of Villa Rica is hereby authorized to formally accept the roadway(s) into its official system on behalf of the Local Government, and that a copy of this Resolution will be furnished to the Department.

Local Governments:

By: _____
Mayor, City of Villa Rica

Date: _____

Attest: _____
Clerk, City of Villa Rica

Date: _____

By: _____
Chairman, Carroll County Board of Commissioners

Date: _____

Attest: _____
Clerk, Carroll County

Date: _____

**NOTICE OF INTENT
OF
THE GEORGIA DEPARTMENT OF TRANSPORTATION**

TO THE MAYOR OF THE CITY OF VILLA RICA

WHEREAS, in order to support the movement of interregional and truck traffic around the Villa Rica downtown business district, the Georgia Department of Transportation (hereinafter called the Department), is planning to construct the Villa Rica Bypass; and

WHEREAS, to accommodate preconstruction activities for these projects, it will be necessary to add a section of the projected alignment, as shown on the attached sketch map, to the State Highway System as State Route 1213 until the Bypass is opened to traffic; and

WHEREAS, project P.I. 662540 will no longer be actively pursued in this order, it will be necessary to remove the Temporary State Route designation of SR-1213TA from the local road(s), as shown in the attached sketch map; and

WHEREAS, in accordance with the terms stipulated in the attached Local State Route Acceptance Resolution, the City of Villa Rica will accept for ownership, maintenance, utility accommodation, and as part of their respective road system, the old section of State Route 61 that will remain open as a public road, as described herein, when removed from the State Highway System; and

WHEREAS, the advancement of these projects to construction is contingent upon the execution of the attached Local State Route Acceptance Resolution by the local officials and the proceeding Order of the Commissioner.

NOW THEREFORE, in the public interest, the Commissioner of the Georgia Department of Transportation, under the authority vested in his pursuant to the laws of the State of Georgia, does hereby serve notice of his intention to approve an Order thirty days from receipt by you of this notice and by which Order that the State Highway System be revised as described in the following paragraphs.

- (1) Add to the State Highway System the projected Villa Rica Bypass as State Route 61, to be designated as State Route 1213 until opened for State Route service, beginning at its intersection with the existing alignments of Industrial Boulevard (State Route 101) and Rockmart Road (Villa Rica City Street 814) thus proceeding in a easterly direction to its intersection with State Route 61 and Punkintown Road (Villa Rica City Street 802).

Addition of approximately 1.92 miles (3.09 km) projected.

Continued...

PAGE TWO OF THREE

- (2) Remove from the State Highway a section of State Route 61, when State Route 1213 is opened for State Route service, beginning at its intersection with South Carroll Road (Villa Rica City Street 841) and State Route 8/US 78 and extending in a northwesterly and northeasterly direction to the intersection with State Route 61, projected State Route 1213 and Punkintown Road (Villa Rica City Street 802).

Removal and reversion as to the City approximately 1.56 miles (2.51 km) existing.

- (3) Remove State Route 61 in common with State Route 8/US 78, when State Route 1213 is opened for State Route service, beginning at its intersection with State Routes 8/US 78, 61 and 101 and extending in a easterly direction to the intersection first described in paragraph (3).

No mileage change.

- (4) Add State Route 61 common with State Route 101, when State Route 1213 is opened for State Route service, beginning at the intersection first described in paragraph (4) and extending in a northerly direction to the intersection first described in paragraph (1).

No mileage change.

The foregoing descriptions are in conformity with sketch map 3131C and plans for Projects STP-18-1(67) and GWW-5053(2) appearing in the files of the Department of which a copy of the sketch map is attached for reference.

PAGE THREE OF THREE

This _____ day of _____, 2020.

Russell McMurry, P.E., Commissioner
GEORGIA DEPARTMENT OF TRANSPORTATION

Attest: _____
Angela M. Whitworth, Treasurer
GEORGIA DEPARTMENT OF TRANSPORTATION

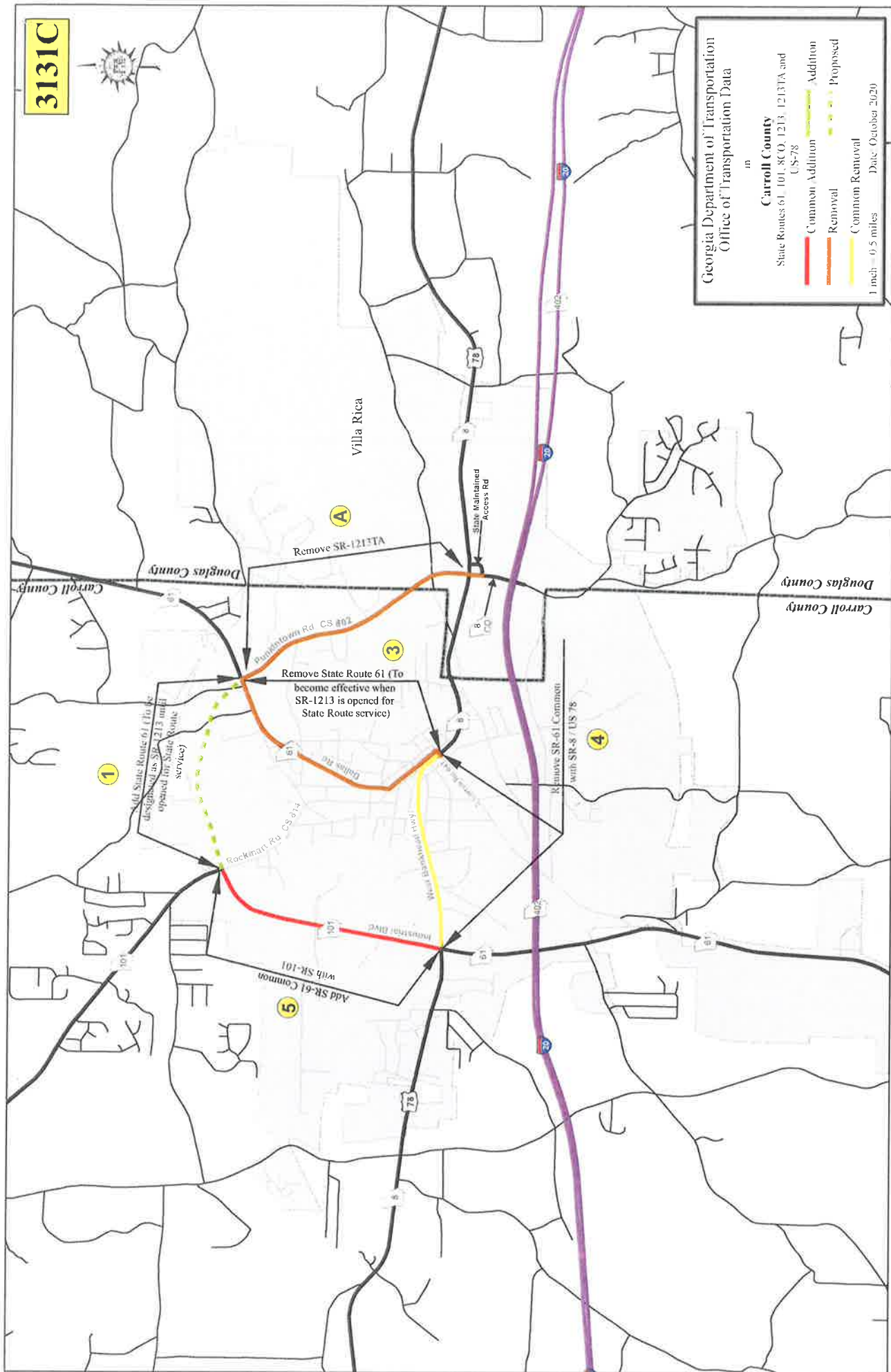
The above and foregoing Notice of Intent has been received and service of said notice acknowledged.

This _____ day of _____, 2020.

Mayor, City of Villa Rica

Attest: _____
Clerk, City of Villa Rica

3131C





CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

Agenda Item: _____

SUBJECT: Distribution / Collection Piping Material

AGENDA DATE: August 10, 2021

DATE PREPARED: July 29, 2021

PREPARED BY: John Bain

AMOUNT: \$45,240.00.

GL ACCOUNT #: 505-4440-541450

FUNDING SOURCE: Water / Sewer Fund

BUDGETED ITEM? Yes

PURPOSE: To purchase Ductile Iron and C900 pipe for purposes of installing and repairing distribution and collection system mains.

BACKGROUND: Current market demands have caused price fluctuations and delivery delays in the purchasing of ductile iron and PVC pipe materials. The approval of this request will provide staff the needed materials to install, repair, and/or replace water and sewer mains as necessary.

STAFF RECOMMENDATION: Staff recommends engaging with Consolidated Pipe & Supply for the purchase of ductile iron and C900 PVC pipe, in the amount of \$45,240.00.

Vendor	Material	Total Cost
Consolidated Pipe & Supply	6", 8", 10", and 12" DIP and C900	\$45,240.00.
Ferguson Waterworks	6", 8", 10", and 12" DIP and C900	\$56,374.00.

IMPACT: The purchase of the pipe material will ensure adequate materials are on hand for current and future repair and replacement projects. The purchase will also lock in current pricing relative to future increases.

MOTION: I move we engage with Consolidated Pipe & Supply for the purchase of the Distribution and Collection system pipe materials, in the amount of \$45,240.00.

C O N S O L I D A T E D P I P E A N D S U P P L Y C O . , I N C .
C U S T O M E R Q U O T E

194 Hurricane Shoals Rd.
Lawrenceville GA 30046

Quote Nbr: 290925 000
Quote Date: 7/28/2021

Page 1

0022 - PAUL ROOT
Phone 770-822-9664
Fax 770-822-9323
Toll Free 800-844-9585

Job: PVC & DI PIPE

Bid Date: 7/28/2021

260167 - VILLA RICA CITY OF
571 W BANKHEAD HWY
VILLA RICA GA 30180

Good Until: 8/15/2021
To: CINDY GLOMMEN
Email: cglommen@villarica.org

Line	Qty	Item	Size/Wall/Description	Price	Extended Price
1	400.0	206427	6 CL/TC CL350/50 DI SJ PIPE	19.50 FT	7,800.00
2	200.0	242405	8 CL/TC CL350 DI SJ PIPE	25.65 FT	5,130.00
3	200.0	233507	10 CL/TC CL350 DI SJ PIPE	30.65 FT	6,130.00
4	200.0	200114	12 CL/TC CL350 DI SJ PIPE	39.35 FT	7,870.00
5	400.0	290007	6 DR18 PVC C-900 PC 235 CIS BLUE 20 GSKT	9.25 FT	3,700.00
6	200.0	290008	8 DR18 VUL PVC C-900 PC 235 CIS BLUE 20 GSKT	15.80 FT	3,160.00
7	200.0	290009	10 DR18 PVC C-900 PC 235 CIS BLUE 20 GSKT	23.75 FT	4,750.00
8	200.0	290010	12 DR18 PVC C-900 PC 235 CIS BLUE 20 GSKT	33.50 FT	6,700.00

Total:



FEL-MARIETTA WATERWORKS #407
910-A COBB PARKWAY NE
MARIETTA, GA 30062-2410

Phone: 770-499-2030
Fax: 770-499-2093

Deliver To:
From: Robert Paul
Comments:

20:00:14 JUL 28 2021

Page 1 of 2

FEL-GEORGIA WATERWORKS #554

Price Quotation
Phone: 770-499-2030
Fax: 770-499-2093

Bid No: B530753
Bid Date: 07/28/21
Quoted By: RAP

Cust Phone: 770-459-3656
Terms: NET 10TH PROX

Customer: CITY OF VILLA RICA
571 BANKHEAD HIGHWAY
VILLA RICA, GA 30180-1726

Ship To: CITY OF VILLA RICA
571 BANKHEAD HIGHWAY
VILLA RICA, GA 30180-1726

Cust PO#: CINDY

Job Name: PIPE QUOTE

Item	Description	Quantity	Net Price	UM	Total
	** C900 6-8 WEEKS ** *****				
	** SOME OF THE DUCTILE ** ** IN STOCK, OTHERWISE ** ** 6-8 WEEKS ON DI PIPE ** *****				
AFT350PU DR18BPU	6 CL350 CL DI FASTITE PIPE 6 C900 DR18 PVC GJ BLUE PIPE *****	400 400	21.850 12.390	FT FT	8740.00 4956.00
AFT350PX DR18BPX	8 CL350 CL DI FASTITE PIPE 8 C900 DR18 PVC GJ BLUE PIPE *****	200 200	28.900 21.270	FT FT	5780.00 4254.00
AFT350P10 DR14BP10	10 CL350 CL DI FASTITE PIPE 10 C900 DR14 PVC GJ BLUE PIPE *****	200 200	34.450 39.640	FT FT	6890.00 7928.00
AFT350P12 DR18BP12	12 CL350 CL DI FASTITE PIPE 12 C900 DR18 PVC GJ BLUE PIPE *****	200 200	44.150 44.980	FT FT	8830.00 8996.00

Net Total: \$56374.00
Tax: \$0.00
Freight: \$0.00
Total: \$56374.00



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Scan the QR code or use the link below to
complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=407&on=23885>



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: West Plant Belt Press Gearbox Replacement

AGENDA DATE: August 10, 2021

DATE PREPARED: July 29, 2021

PREPARED BY: John Bain

AMOUNT: \$6,575.70.

GL ACCOUNT # 505-4330-522220

FUNDING SOURCE: Water / Sewer Fund

BUDGETED ITEM? Yes

PURPOSE: To engage with Cornerstone Mechanical for the purchase and installation of the West Plant belt press gearbox.

BACKGROUND: The existing gearbox is original to the unit, was installed during plant construction, and replacement is needed for continued operation.

STAFF RECOMMENDATION: Staff recommends engaging with Cornerstone Mechanical for the replacement of the belt press gearbox, as the manufacturer's vendor representative is Cornerstone Mechanical, in the amount of \$6,575.70.

IMPACT: The gearbox replacement will provide continued operations and reliability of the solids removal and disposal at the West Plant.

MOTION: I move we engage with Cornerstone Mechanical for the purchase and installation of the West Plant belt press gearbox, in the amount of \$ 6,575.70.

Cornerstone H2O, LLC.

PO Box 3095

Peachtree Cty, GA 30269-1546

US

770-742-3321

andrea@cornerstoneh2o.com

cornerstoneh2o.com



Estimate

ADDRESS

Villa Rica, GA

ESTIMATE # 1640**DATE** 04/06/2021

PRODUCT	DESCRIPTION	QTY	RATE	AMOUNT
Sales	KA97 R57 DRN100LM4/TH/DH - Lead Time 10 Weeks Helical Bevel Gearmotor Customer Item: Replacement for 890213926.09	1	5,184.20	5,184.20
Sales	Z03Q0218 - In Stock / Lead Time 1 week Scrper Blade,ply,2M/GRSIII (2 pack) ^	1	370.30	370.30
Sales	6391021 - In Stock / Lead Time 1 week Brush Seal,Washbx,2M,96"GRSIII^	8	127.65	1,021.20

Freight will be prepaid and added.

All prices above require net 30 days payment terms.

Parts lead time is approximately one week, parts are in stock.

Gearmotor lead time is 10 weeks.

TOTAL**\$6,575.70**

Accepted By

Accepted Date

Cornerstone terms and conditions can be found at the below link:

http://www.cornerstoneh2o.com/uploads/8/9/5/5/89553815/terms_and_conditions.pdf



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: West Plant Sludge Pump Replacements
AGENDA DATE: August 10, 2021

DATE PREPARED: August 5, 2021
PREPARED BY: Pete Zorbanos

AMOUNT: \$60,944.00
GL ACCOUNT #: 505-4330-542500
FUNDING SOURCE: Water/Sewer Fund
BUDGETED ITEM? Yes

PURPOSE: To engage Cornerstone H2O, LLC. for the purchase and installation of the two West Plant sludge pumps.

BACKGROUND: The existing sludge pumps were original to the treatment facility, and have outlived their useful life, and are in need of replacement. We are currently unable to remove solids from the process, inhibiting the ability to adequately process biosolids, and meet permit requirements.

STAFF RECOMMENDATION: Staff recommends engaging with Cornerstone H2O, LLC. (the manufacturer's vendor representative) for the replacement of the two sludge pumps at the West Plant, in the amount of \$60,944.00.

Brand	Model	Cost per unit
Vogelsang	VX136-105Q Sludge Transfer Pump	\$30,472
Moyno	Moyno Sludge Transfer Pump	\$35,219

IMPACT: The sludge pumps replacement will provide continued operations and reliability of biosolids removal and disposal, while ensuring compliance with permit limits.

MOTION: I move to engage Cornerstone H2O, LLC. for the purchase, and installation of the two West Plant sludge pumps, in the amount of \$60,944.00.

Cornerstone H2O, LLC.
PO Box 3095
Peachtree Cty, GA 30269-1546
US
770-742-3321
andrea@cornerstoneh2o.com
cornerstoneh2o.com



Estimate

ADDRESS

Villa Rica, GA

ESTIMATE # 1735

DATE 07/30/2021

EXPIRATION DATE 08/30/2021

PRODUCT	DESCRIPTION	QTY	RATE	AMOUNT
Sales	Vogelsang BRP Feed Pump VX136-105 In-Line Pump Assembly Sludge, Digested 3% Solids 136 gpm @ 20 psi	1	22,972.00	22,972.00
Field Service	Budgetary estimate for turnkey installation of the Pump. Budget will be amended per our inspection of the site on Tuesday. We expect this price to be reduced at that time, but cannot give a firm dollar amount until a full inspection has been done and precision measurements have been recorded	1	7,500.00	7,500.00

Freight will be prepaid and added.

All prices above require net 30 days payment terms.

TOTAL

\$30,472.00

Accepted By

Accepted Date

Cornerstone terms and conditions can be found at the below link:

http://www.cornerstoneh2o.com/uploads/8/9/5/5/89553815/terms_and_conditions.pdf

Cornerstone H2O, LLC.
PO Box 3095
Peachtree Cty, GA 30269-1546
US
770-742-3321
andrea@cornerstoneh2o.com
cornerstoneh2o.com



Estimate

ADDRESS

Villa Rica, GA

ESTIMATE # 1736

DATE 07/30/2021

EXPIRATION DATE 08/30/2021

PRODUCT	DESCRIPTION	QTY	RATE	AMOUNT
Sales	Moyno 2000-Series Pump Basejob Model 1F065G1 CDQ 3AAA Gear Reducer Motor 15HP Base Assembly	1	27,719.00	27,719.00
Field Service	Budgetary estimate for turnkey installation of the Pump. Budget will be amended per our inspection of the site on Tuesday. We expect this price to be reduced at that time, but cannot give a firm dollar amount until a full inspection has been done and precision measurements have been recorded	1	7,500.00	7,500.00

Freight will be prepaid and added.

All prices above require net 30 days payment terms.

TOTAL

\$35,219.00

Accepted By

Accepted Date

Cornerstone terms and conditions can be found at the below link:

http://www.cornerstoneh2o.com/uploads/8/9/5/5/89553815/terms_and_conditions.pdf



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2021 Budget Amendments # 173-177

AGENDA DATE: 08-10-2021

DATE PREPARED: 07-29-21

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.

Parks & Recreation - Athletics	
Source of Funds:	Parks & Recreation - Sports Revenue
Funding for athletic programs for the remainder of the fiscal year.	

Item	Account Name	Account Type		Amount
173 100-347510	Parks & Recreation - Sports	Revenue	Increase	32,500
174 100-6120-531710	Operating Supplies	Expense	Increase	25,000
175 100-6120-523600	Dues & Fees	Expense	Increase	500
176 100-6120-523885	Contract Labor & Sports	Expense	Increase	3,000
177 100-6110-523970	Credit Card / Bank Fees	Expense	Increase	4,000

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. 173-177, 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



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2022 Budget Calendar

AGENDA DATE: August 10, 2021

DATE PREPARED: August 3, 2021

PREPARED BY: Sarah Andrews

PURPOSE: To approve the calendar for the 2022 millage and budget process.

BACKGROUND: The 2022 millage and budget process calendar has been a fluid document as we have been waiting for the property tax information from the Tax Commissioners. The proposed meetings are as follows. This includes moving the September council meeting from September 14th to September 21st.

City of Villa Rica 2022 Budget Calendar

Tuesday, August 24th
@ 10am

- Budget Workshop
- Public Hearing:
Millage #1

Tuesday, August 24th
@ 6pm

- Public Hearing:
Millage #2

Tuesday, August 31st
@ 6pm

- Budget Workshop
- Public Hearing:
Budget #1
- Public Hearing:
Millage #3
- Adoption of Millage

Thursday - Friday,
September 2nd - 3rd
@ 10am

- Council Retreat

Tuesday, September
7th @ 11am

- Public Hearing:
Budget #2

Tuesday, September
21st @ 6pm

- Work Session
- Council Meeting
- Budget Adoption

STAFF RECOMMENDATION: To approve the updated calendar so that the dates will be reserved and other meetings and calendar requests can be scheduled accordingly.

MOTION: I move to approve the updated 2022 Budget and Millage Calendar as proposed.



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Approval of Work Order 17003.10a with Brennan Jones to Design the Town Branch Interceptor and Oversee Construction

AGENDA DATE: August 10, 2021
PREPARED BY: Tom Barber

DATE PREPARED: July 23, 2021

AMOUNT: \$32,800.00
FUNDING SOURCE: Water & Sewer Fund

GL ACCOUNT #: 505-4115-xxxx
BUDGETED ITEM? No

PURPOSE: To approve a work order with Brennan Jones for the design and construction oversight of the Town Branch interceptor.

BACKGROUND: At the present time the City maintains two gravity interceptors near Town Branch Creek and Anderson Road. The City intends to design a single replacement line to provide additional room for future development.

STAFF RECOMMENDATION: Staff recommends approval of the work order.

IMPACT: Reducing this section of the interceptor system from two lines to one will increase the land available for development near the proposed Mirror Lake Connector.

MOTION: I move to approve work order 17003.10a with Brennan Jones Engineering Associates, LLC for \$32,800 to design, bid, and oversee the construction of the Town Branch sewer interceptor near the Cleghorn lift station and to authorize the City Manager and City Clerk to take the necessary steps to execute the agreement.

**AGREEMENT FOR ENGINEERING SERVICES BETWEEN
CITY OF VILLA RICA, GEORGIA AND
BRENNAN JONES ENGINEERING ASSOCIATES, LLC
FOR
TOWN BRANCH INTERCEPTOR SEWER**

June 24, 2020

WORK ORDER NO. 17003.10a

This Work Order has been prepared in accordance with the Agreement for Engineering Services between Brennan Jones Engineering Associates, LLC and City of Villa Rica, Georgia, dated September 15, 2017.

Introduction and Background

This Work Order amends the previously approved work order and is for design, permitting, bidding and construction administration for Town Branch Interceptor sewer located in vicinity of Anderson/Cleghorn Road to the Cleghorn Pump Station. Construction of this interceptor sewer will allow a sewer line on the western side of Town Branch to be abandoned, which will expand buildable land area on the property.

Activities and descriptions of services with each task are outlined below.

Scope of Services

BJEA will perform the following tasks for this project:

Task 4 – Project Management and Coordination. Project management and coordination activities include design coordination meetings with the City, and staff from site development engineering firm, water system engineering firm and road design engineering firm. This activity also includes costs for expenses including travel, copies, etc. A budget of \$2,500 has been established for this task.

Task 5 – Easement Preparation. Easement plats and legal descriptions for the new sanitary sewer will be prepared by BJEAs surveying subconsultant Lowery Land Surveying. A budget of \$1,500 has been established for this task.

Task 6 – Design and Preparation of Plans and Specifications. BJEAs will design and prepare construction plans and specifications for a gravity sanitary sewer interceptor in the Town Branch Basin. The sewer facilities will be sized to receive flow from the entire Town Branch gravity sewer basin. Construction plans and specifications will be submitted to the City for review and approval. Advertisement and Bidding documents will be prepared and used for solicitation of bids from qualified contractors. A budget of \$16,800 has been established for this task.

Task 7 – Bidding and Construction Phase Services. BJEAs will perform the following services in conjunction with this task:

Bidding Assistance

- Preparation of construction contract documents for bidding
- Provide the advertisement to bid and assist with project advertisement through publication on GLGA Marketplace Website and local plan advertisement rooms.
- Reproduce and distribute bid documents to plan advertisement companies and bidders
- Conduct pre-bid conference, (if required)
- Interpretation of bid documents and issue addenda as required
- Attend the bid opening and open bids
- Evaluate bids and provide recommendations for award

Construction Administration

- Provide conformed contract execution documents
- Conduct a preconstruction conference
- Receive and review submittals
- Provide interpretations of plans and specifications
- Review pay requests and make payment recommendations

Work Order 17003.10a
Town Branch Interceptor Sewer
City of Villa Rica, Georgia
June 24, 2021

Provide periodic on-site construction observation
Conduct substantial completion inspection and construction deficiency list
Conduct final completion inspection
Provide a recommendation for final acceptance

A budget of \$7,500 has been established for this task.

Task 8 – Construction Materials Testing. BJEAs subconsultant, Contour Engineering, LLC, will perform construction materials testing services as required and directed by BJEAs for this project. The geotechnical construction materials testing services includes but is not limited to: concrete field testing and laboratory concrete strength testing, soil compaction testing and subgrade inspections. A budget of \$4,500 has been established for this task.

Schedule

Design and construction are anticipated to take approximately 6-months to complete.

Fee:

The fee for engineering design and construction administration services outlined above will be performed on a Lump Sum (LS) or Hourly (H) basis including expenses as shown below. BJEAs will submit invoices on a monthly basis for services completed during the previous month. The following is a breakdown of fee by tasks associated with the scope of services outlined above.

Task Description	Budget
Task 4 – Project Management & Coordination	\$2,500.00 (H)
Task 5 – Easement Preparation	\$1,500.00 (LS)
Task 6 – Design and Preparation of Plans and Specifications	\$16,800.00 (LS)
Task 7 – Bidding and Construction Phase Services	\$7,500.00 (LS)
Task 8 – Construction Materials Testing	\$4,500.00 (H)
Total	\$32,800.00

Reimbursable Expenses (mileage, copies, permit fees, etc.) are included in the budget above. Any services, which are not included in the scope of services will be performed on a time and expense basis in accordance with the attached Unit Rate Schedule after written authorization has been received from the Client. For any authorized additional services, BJEAs will submit a detailed invoice for services on a monthly basis for all project related activities and services completed during the prior month.

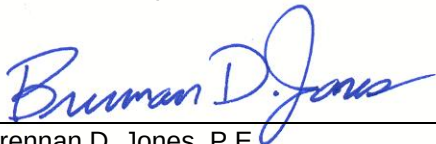
OWNER and CONSULTANT have caused this Agreement to be amended by representatives duly authorized to act, all as of the effective date of February 17, 2021.

CONSULTANT

OWNER

**BRENNANJONES ENGINEERING
ASSOCIATES, LLC**

CITY OF VILLA RICA, GEORGIA



Brennan D. Jones, P.E.
Principal

Tom Barber
City Manager

Date June 24, 2021

Date _____



CITY OF VILLA RICA

City Council Packet

SUBJECT: Call for Special Referendum to Allow or Deny the Package Sale of Distilled Spirits Within the City

CITY COUNCIL AGENDA DATE: August 10, 2021

DATE: July 21, 2021

PREPARED BY: David Mecklin, City Attorney

AMOUNT: ??

FUNDING SOURCE: General Fund

BUDGET ITEM: Yes

PURPOSE: To call for a Special Referendum to allow the voters of the City of Villa Rica to approve or reject the issuance of licenses for the package sale of distilled spirits within the City of Villa Rica.

BACKGROUND: Previously, O.C.G.A. § 3-4-41 required that a Special Referendum to authorize the issuance of licenses for the package sale of distilled spirits could only be called after the submission of a petition signed by 35% of the eligible voters in the City of Villa Rica. During the 2021 Georgia General Assembly, O.C.G.A. § 3-4-41 was amended to allow the governing authority of each city within the state to resolve or ordain that a special election be called for that purpose. The approval by the voters of the issuance of licenses is simply the first step in the process under the new ordinance. If rejected by the voters then another referendum cannot be held for a period of two years. If approved by the voters then the City can move to the next step which is to approve an ordinance which will regulate the issuance of licenses within the City to sell distilled spirits. The actual requirements including number of licenses and other requirements would be considered by the City Council after approval by the voters.

It is to the advantage of the City to hold any special referendum in conjunction with a general election because the City does not then have to bear the full cost of a special election. Because the expense of a general election is budgeted no additional cost accrues to the City to hold a special referendum in conjunction with a general election. If the City were to hold a special referendum as required if a petition is received, then the expense to the City for that special referendum would be significant. For this reason, it is to the benefit of the City to obtain an up or down vote on the question of the issuance of licenses for the package sale of distilled spirits in conjunction with a general election.

STAFF RECOMMENDATION: In order to give the citizens of Villa Rica the opportunity to vote on the issue, the Staff recommends approving the call of an election to decide whether or not licenses may be issued for the package sale of distilled spirits.

MOTION: I move to call for a referendum pursuant to O.C.G.A. § 3-3-41 to determine whether the City is authorized to issue licenses for the package sale of distilled spirits to be held in conjunction with the general election held on November 2, 2021.

RESOLUTION
CITY OF VILLA RICA

WHEREAS, the Georgia General Assembly amended the provisions of O.C.G.A. § 3-4-41 during the 2021 General Assembly; and

WHEREAS, O.C.G.A. § 3-4-41 authorizes the governing authority of a municipality in Georgia to call for a referendum to authorize the issuance of licenses for the package sale of distilled spirits; and

WHEREAS, the governing authority of the City of Villa Rica wishes to give the voters of the City of Villa Rica the opportunity to decide whether or not such licenses should be issued within the City.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that a special election be called to give the voters of the City of Villa Rica the opportunity to determine whether or not the City shall be authorized to issue licenses for the package sale of distilled spirits.

IT IS FURTHER RESOLVED that a copy of this Resolution be transmitted to the Elections Superintendent of the City of Villa Rica and Carroll County to call and conduct a referendum as provided for in Chapter 2 of Title 21, the "Georgia Election Code" for the purpose of submitting to the qualified voters of the municipality the question of whether the issuance of licenses for the package sale of distilled spirits in Villa Rica shall be permitted.

IT IS SO RESOLVED, on this _____ day of _____, 2021.

Gil McDougal, Mayor

Attest:

Alisa Doyal, City Clerk



Russell R. McMurry, P.E., Commissioner
One Georgia Center
600 West Peachtree Street, NW
Atlanta, GA 30308
(404) 631-1000 Main Office

May 11, 2021

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

RE: Roundabout lighting assistance for SR 8 @ CS 352/CS 968/CONNERS ROAD – P.I. No. 0015679; City of Villa Rica

Dear Mr. Barber,

The Department will require a signed agreement for roundabout lighting installed as part of the above referenced project. The lighting shall be administered in the form of a Local Government Lighting Project Agreement (LGLPA). It will be the responsibility of the City to provide the Energy, Operation and Maintenance for the system. The Department shall be responsible for the design and installation, including all costs of materials for the system.

Attached for your review are three (3) original copies of the proposed LGLPA between the Georgia Department of Transportation and City of Villa Rica, for City and State participation. It is requested that a Resolution be secured from the City Council before entering into the Agreement, if applicable. By virtue of the Resolution, the City can then enter into the Agreement. The Resolution/Agreement process can be done concurrently. If you concur with the terms of this Agreement, please attach an official copy of the Resolution (including all signatures and seals) to each of the Agreements. Then, please obtain the necessary signatures and appropriate seals from the City Council on all three copies of the Agreement and return all three copies to the Office of Design Policy & Support for further handling. *Please do not fill in the date on the first page of the Agreement, as the Department will complete this upon execution.* We will return one copy of the executed Agreement for your files.



Russell R. McMurry, P.E., Commissioner
One Georgia Center
600 West Peachtree Street, NW
Atlanta, GA 30308
(404) 631-1000 Main Office

If you have any questions or need any additional assistance, please contact Robert Graham at (404) 631-1684.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Rudd", with a long horizontal flourish extending to the right.

FOR Christopher Rudd, P.E.
State Design Policy Engineer

Enclosure: Local Government Lighting Project Agreement (3 copies)

cc: Dana Lemon, State Transportation Board, Congressional District 13_
Meg Pirkle, Chief Engineer
Paul DeNard, District 7 Engineer
Hiral Patel, Director of Engineering