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City of Villa Rica



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CITY ATTORNEY: C. DAVID MECKLIN

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VILLA RICA, GA. 30180
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MAYOR & COUNCIL WORK SESSION AGENDA

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

October 12, 2021 | 3:00 PM

Review of the Agenda (Mayor Gil McDougal)

A. Community Development (Bobby Elliott, Director)

1. Amendment to Section 9.03(2) - Multifamily and Single-Family Attached Design Standards and Public Hearing (Ron Johnson, Planning & Zoning Specialist)
2. RA-08-21 - Parcel # V05 0180085 and V05 0180062; Mirror Lake Boulevard at Shoreline Parkway Rezoning Public Hearing (Ron Johnson, Planning & Zoning Specialist)
3. RA-09-21 - 384 Mirror Lake Boulevard Rezoning and Public Hearing (Ron Johnson, Planning & Zoning Specialist)
4. Parcel # V02 0010002 Special Exception Application and Public Hearing (Ronald Johnson, Planning & Zoning Specialist)
5. Revision to Villa Rica Development Regulations Relative to Stream Buffers (Bobby Elliott, Director)
6. Planning and Zoning Board Appointment (Ronald Johnson, Planning & Zoning Specialist)
7. Amendment to Ordinances for Traffic Calming (Bobby Elliott, Director/City Engineer)

B. Parks, Recreation and Leisure Services Tracie Ivey, Director

1. New Library Advisory Board Member, (Evette Bridges, Library Manager)

C. Utilities (Pete Zorbanos, Director)

1. Resolution of Support for Changes to State Highway System and Acceptance of Two Roadways (John Bain, Deputy Utilities Director)

D. Finance (Jennifer Hall, Finance Director)

1. FY2021 Budget Amendments - #178 - 192
2. Approve a resolution to execute a modification to the promissory note and loan agreement with Georgia Environmental Finance Authority (GEFA) for \$2,500,000 for the North Avenue Waterline Extension Project.

E. Deputy City Manager/CFO Sarah Andrews

1. Biometric Screenings through Health 180

F. City Manager (Tom Barber)

1. Adoption of a Revised Resolution Approving the Issuance of Tax-Exempt Revenue Bonds by the DDA

2. Resolution to Approve Agreement for Roundabout Lighting Assistance at Intersection of Highway 78 and Conners Road

G. Consent Agenda Review

H. 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.)

I. Adjournment



CITY OF VILLA RICA

City Council Packet

SUBJECT: Amendment to Section 9.03(2) – Multifamily and Single-Family Attached Design Standards (Contained in the City of Villa Rica Zoning Code)

CITY COUNCIL AGENDA DATE: September 21, 2021

DATE: September 9th, 2021

PREPARED BY: Ronald Johnson, Planning & Zoning Specialist

FUNDING SOURCE: N/A

PUBLIC HEARING REQUIRED: Yes

PURPOSE: Section 9.03(2) of the Villa Rica Zoning Code is a part of the City's Zoning Ordinance. The purpose of this proposed amendment is to clarify the design standards within this subsection in order to clean up language as it relates to single-family attached developments.

BACKGROUND: The Villa Rica Zoning Ordinance has a single design standard section for both townhome and apartment developments. Certain regulations within the section either do not apply to townhome developments or would apply standards oftentimes seen for multi-family apartment developments, such as orientation and scaling requirements. This has caused multiple townhome developments to apply for relief through variance applications. With the request of the City Council, staff found it appropriate to clarify the section and add or remove language for specific to townhomes in order to provide regulations that would be more sensible for such developments.

STAFF RECOMMENDATION: Staff recommends approval of the proposed amendment.

PLANNING COMMISSION: DENIAL (2-2)

MOTION:

- (1) I move to approve the proposed amendment to Section 9.03(2)(c) of the City of Villa Rica Zoning Ordinance as attached hereto.
- (2) I move to approve the proposed amendment to Section 9.03(2)(d) of the City of Villa Rica Zoning Ordinance as attached hereto.
- (3) I move to approve the proposed amendment to Section 9.03(2)(e) of the City of Villa Rica Zoning Ordinance as attached hereto.

Sec. 9.03 – MULTIFAMILY AND SINGLE-FAMILY ATTACHED DESIGN STANDARDS

- 1) APPLICABILITY. All new multi-family developments (apartments, townhomes) of three (3) units or more are subject to the following standards.
- 2) LAYOUT AND SITE PLANNING.
 - a) Topography. Buildings shall be sited in relation to topography of the site, which minimizes cut and fill and limits maximum on-site slope to ten (10%) percent.
 - b) Attempts shall be made to preserve existing vegetation and natural features.
 - c) Building Orientation. Multi-family building(s) shall be oriented to the street or city road, a common open space, or clustered to form neighborhoods. Multifamily buildings shall not be oriented to parking lots. Accessory buildings, including residential garages, storage buildings, etc., shall be located behind the primary building. No primary or accessory building shall have service doors, garage doors, loading doors, or similar service entrances opening toward or oriented to the street or city road. **Townhouse developments shall be considered an exception from orientation requirements of garage doors, and townhomes with garages may be permitted to orient openings towards the street or city road.**
 - 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. **This distance may further be reduced to not less than twenty (20) feet should an exposure be for a bedroom, living room, kitchen or other such living area. The Community Development Director shall have discretion to determine which offset between buildings shall apply and may grant exception to this subsection shall topographic, orientation or other site condition make the distance required impractical.**
 - 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~~ **five (5) 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.
 - f) Off-street parking, driveway, drive aisles, carport, garage or service facilities may encroach into the side or rear yard as specified in but shall be no closer than ten (10) feet to any lot line. In no event shall parking be located in required landscaping areas.
 - g) All sides of a building shall display a similar level of architectural features and materials.
- 3) OPEN SPACE. Open space shall be required in conformance with *Section 7.13 – Open Space Requirements* and the requirements of the Zoning Ordinance.
- 4) VEHICULAR AND PEDESTRIAN CIRCULATION. Create a hierarchy of internal drives.
 - a) Drives shall be a minimum of twenty (20) feet wide. The City may request wider drives if on-street parking is permitted.
 - b) Multi-family developments with one-hundred fifty (150) units or more shall have at least two (2) points of ingress/egress.

- c) The internal “street” system shall connect to surrounding neighborhood and local streets.
- d) All internal sidewalks shall be a minimum of five (5) feet wide.
- e) All internal sidewalks shall connect to adjacent residential areas, commercial areas, schools, parks, places of worship, and similar publicly accessible uses.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: RA-08-21 – Parcel #: V05 0180085 and V050180062; Mirror Lake Boulevard at Shoreline Parkway Rezoning

AGENDA DATE: October 12, 2021

DATE PREPARED: October 1, 2021

PREPARED BY: Ronald Johnson, Planning and Zoning Specialist

FISCAL IMPACT: N/A

PUBLIC HEARING REQUIRED: Yes

PURPOSE: Fuqua Acquisitions II, LLC of Atlanta, GA has requested a rezoning of two undeveloped properties totaling 55-acres from Industrial Medium-Density to Single-Family Attached (SFA), Commercial Medium-Density (C2) and Multifamily Medium-Density (MF2).

BACKGROUND: The applicant proposes a mixed use development on three parcels fronting Mirror Lake Boulevard at Shoreline Parkway. The project consists of 18.9 acres dedicated to commercial space, 255 townhome units and 208 multifamily units. The project will be adjacent to the Arbour Valley Development multifamily development and will straddle the proposed Mirror Lake Connector road between Mirror Lake and the Downtown. A grocer, several restaurant pad sites and a retail strip center is proposed along Mirror Lake Boulevard. This project also includes RA-09-21, which is a property to the north of the subject two properties and is included within this development. The parcels were previously zoned General Industrial (GI) under the Unified Development Code and was laterally rezoned to I2 upon the citywide rezoning in 2020. No variances have been applied for.

STAFF RECOMMENDATION: Staff recommends **Approval**.

PLANNING COMMISSION: N/A

MOTION:

I move to approve the rezoning request from Fuqua Acquisitions II, LLC of Atlanta, GA for a rezoning from I2 to MF2, C2 and SFA, as outlined by the submitted Site Plan dated September 7, 2021 by Haines Gipson & Associates and as outlined by staff.



October 5th, 2021

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

Re: Planning Report
Fuqua Acquisitions II, LLC
RA-08-21 and RA-09-21
Mirror Lake Boulevard at Shoreline Parkway
and 384 Mirror Lake Blvd
Land Lot 176, District 2
Parcel #: V05 0180085, V05 0180062, V05 0180075
Acreage: 61.1
Ward: 1
Planning Board Member: Unfilled
City Council Member: Shirley Marchman
City of Villa Rica, Carroll County, Georgia

Dear Ms. Cox:

Fuqua Acquisitions II, LLC (the Applicant) seeks a rezoning from Single-Family Agricultural (AG) and Industrial Medium-Density (I2) to Single-Family Attached (SFA), Commercial Medium-Density (C2) and Multifamily Medium-Density (MF2) in order to construct a multi-family apartment complex with 208 units, a townhome community with 255 units, and an 18.97-acre commercial retail shopping center with five outparcels. The Applicant has not requested any variances. This review is being conducted for both applications as each application depends on the success of the other application. Certain recommendations, technical details and other information may not be directly applicable to each individual application, but applicable to the entirety of the project.

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

1. Site Plan, prepared by Haines Gipson and Associates, unsigned and unstamped, dated September 7th, 2021;
2. Rezoning Application and Application Checklist, notarized and dated September 13th, 2021;
3. Applicant Campaign Disclosure Form, undated;
4. Authorization of Property owners, notarized and dated September 8th, 2021, signed by Delena C. Condon and Clay C. Condon;



5. Authorization of Property owners, notarized and dated September 7th, 2021, signed by David R. Schoerner and DMS Columbia Dr, LLC d/b/a Schoerner Enterprises, Joint Venture;
6. Applicant Written Statement, by an unknown preparer, dated September 13th, 2021 (2 Pages);
7. Document entitled “Pinegrove Communities: Typical Townhome Product” including elevations, undated, by an unknown preparer (9 pages).
8. Document entitled “Design Development” including photos of conceptual architecture for Commercial Development, undated, by an unknown preparer (3 pages).

A. Existing Conditions

The subject properties are located west of Mirror Lake Boulevard. **For the purposes of this review, 384 Mirror Lake Boulevard will be referred to as “Parcel A”, V05 0180062 will be referred to as “Parcel B” and V05 0180085 will be referred to as “Parcel C”.**

All three parcels have direct access and frontage along Mirror Lake Parkway. Parcel A has approximately 342.83’ of frontage, Parcel B has approximately 325.48’ of frontage and Parcel C has approximately 1,120.77’ of frontage along Mirror Lake Boulevard. Parcel A is currently zoned Single-Family Agricultural (AG) and features a single-family home. Parcels B and C are zoned Industrial Medium-Density (I2) while Parcel B and Parcel C are undeveloped.

The subject properties are adjacent to residential uses in the existing Stonehenge subdivision to the north, and the Spyglass Hill section of Mirror Lake subdivision to the east across Mirror Lake Boulevard, both of which are in the city limits. Parcel C also borders an industrial area to the south along Conners Road and Grady Knight Industrial Court as well as the Mirror Lake Shopping Center across Mirror Lake Boulevard to the east. Directly west of Parcel A is a single-residential house, and west of Parcel B is the city’s lift station along Anderson Road, along with a parcel approved in 2020 for 192 residential apartment units by Arbour Communities (Arbour Valley). Parcel C borders Cleghorn Street Park and to the west.

The Town Branch stream borders the rear (western) boundaries of Parcels B and C. No streams are present on Parcel A. No easements have been identified on the site plan.

Surrounding Properties:



TABLE 1 – ADJACENT ZONING AND LAND USE CHARACTER AREAS		
	Current Zoning	Land Use Character Area
North	Parcel A: Single-Family Suburban (R1) Parcel B: Single-Family Agricultural (AG) Parcel C: Industrial Medium-Density (I2)	Parcel A: Suburban Neighborhood Parcel B & C: Urban Village
East	Parcels A & B: Planned Unit Development Parcel C: Planned Unit Development & Commercial Medium-Density (C2)	Parcels A & B: Suburban Neighborhood Parcel C: Suburban Neighborhood & Commercial Activity Area
South	Industrial Medium Density (I2)	Urban Village
West	Parcel A: Single-Family Agricultural (AG) Parcels B & C: Multifamily Medium-Density (MF2)	Parcels A & B: Urban Village Parcel C: Urban Village & Conservation / Open Space



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

B. Site History



Parcel A was developed with a single-family home in 1993 and is a part of Stonehenge subdivision. The entirety of Parcels B and C are vacant and have been vacant throughout their existence. The Unified Development Code (UDC) zoned Parcel A as Multi-Family (R14) and Parcels B and C as General Industrial (GI). Parcel A was rezoned in 2020 during the citywide rezoning from R14 to Single-Family Agricultural (AG), whereas Parcels B and C were rezoned from GI to Industrial Medium-Density (I2).

The department does not have any records related to land use applications pertaining to these parcels.

C. Proposed Development

The applicant is under contract for the parcels in question with the intent to construct 255 townhome units, 208 multi-family units and an 18.9-acre commercial shopping center within the confounds of the area as described in Section A. The applicant has proposed to rezone Parcel A from AG to Single-Family Attached (SFA) and Commercial Medium-Density (C2); and rezone Parcels B and C from I2 to SFA, C2 and MF2. Approximately 9.8 acres of the proposed development is proposed to be zoned MF2, and 32.98 acres is proposed to be rezoned SFA.

Of the commercial space proposed, a 60,000 sq. ft. grocer, 5,000 sq. ft. of retail space, and 10,000 sq. ft. of restaurant space is proposed within the anchor and shops parcel. Five outparcels are also shown on the plan that would be in addition to the above figures.

The townhomes are proposed to be 50' x 20' units with a 7.7 units per acre density. The applicant's site plan indicates at least two amenities will be installed (clubhouse and pool). The applicant has also submitted sample elevation drawings that indicate multiple townhome sizes ranging from 22' x 55' to a 30' wide unit.

The multi-family housing is proposed to be 21.2 units per acre with three (3) stories. The average square footage per unit is proposed to be 900, and at least 8,950 square feet will be dedicated to amenity space. The applicant has proposed at least one amenity on the site plan, which would consist of a fitness club. Each unit will have two (2) parking spaces.

A new boulevard connecting from Shoreline Parkway to Cleghorn Street and points beyond is a central feature of the development. The applicant has indicated that the project will commence in late 2022 and will be completed in 2023 upon approval.

See Table 2 below for yard and bulk requirements in the C2, MF2 and SFA Zones:

TABLE 2 - BULK REQUIREMENTS – C2 COMMERCIAL MEDIUM-DENSITY ZONE
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	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	2.5	18.9	C
Minimum Lot Width (ft)	150	Unknown	Unknown
Minimum Front Yard Setback (ft)	25 (Mirror Lake Connector) 45 (Mirror Lake Boulevard)	Unknown	Unknown
Minimum Rear Yard Setback (ft)	45	Unknown	Unknown
Minimum Side Yard Setback (ft)	30	Unknown	Unknown
Maximum Building Coverage (%)	50	Unknown	Unknown
Maximum Building Height (ft)	60	Unknown	Unknown
Maximum Impervious Coverage (%)	80	Unknown	Unknown

TABLE 2 - BULK REQUIREMENTS – MF2 MULTIFAMILY MEDIUM-DENSITY ZONE

	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	5	9.8	C
Minimum Lot Width (ft)	150	Unknown	Unknown
Minimum Front Yard Setback (ft)	25 (Mirror Lake Connector) 45 (Mirror Lake Boulevard)	Unknown	Unknown
Minimum Rear Yard Setback (ft)	40	Unknown	Unknown
Minimum Side Yard Setback (ft)	40	Unknown	Unknown
Maximum Building Coverage (%)	75	Unknown	Unknown
Maximum Building Height (ft)	65	Unknown	Unknown
Maximum Impervious Coverage (%)	75	Unknown	Unknown
Minimum Heated Square Feet (sf)	950	900	NC

TABLE 2 - BULK REQUIREMENTS – SFA SINGLE-FAMILY ATTACHED ZONE

	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	1	32.98	C
Minimum Lot Width (ft)	100	Unknown	Unknown
Minimum Front Yard Setback (ft)	25 (Mirror Lake Connector) 45 (Mirror Lake Boulevard)	Unknown	Unknown
Minimum Rear Yard Setback (ft)	40	Unknown	Unknown
Minimum Side Yard Setback (ft)	40	Unknown	Unknown
Maximum Building Coverage (%)	40	Unknown	Unknown
Maximum Building Height (ft)	45	Unknown	Unknown
Maximum Impervious Coverage (%)	50	Unknown	Unknown
Minimum Heated Square Feet (sf)	1,040	1,000	NC

The development is proposed to have city sewer and water. All right-of-ways are required to be at least 50' in width.

Design Standards



The city has design standards for all multifamily and single-family attached units, as well as for commercial buildings in Section 9.03 and Section 9.04, respectively, of the Zoning Ordinance to which the applicant must comply at the time of architectural review.

Amenities/Open Space

The applicant has indicated at least two amenities for the townhomes and one amenity for the multi-family development. A total of three (3) amenities are required for the multi-family units and an additional three (3) amenities are required for the townhomes. The applicant will need to address the amenity requirements prior to approval of the Final Plat. The applicant has not indicated how much open space will be within the development. The ordinance requires a minimum of 5% open space for the commercial parcel, 12% for the townhome parcel and 15% for the multi-family parcel. The ordinance specifies what is considered non-qualifying open space and qualifying open space as specified below:

TABLE 8 – QUALIFYING AND NON-QUALIFYING OPEN SPACE	
<u>Non-Qualifying Open Space</u>	<u>Qualifying Open Space</u>
Required Private Yards	Conservation areas and wetlands preserved as conservation areas.
Street rights-of-way, open parking area and driveways for dwellings	Floodplains
Land covered by buildings	Woodlands
Required detention and retention ponds that are not visually or physically accessible.	Riparian Corridors
The floodway of any stream, regulated drain, river or other water body accessible.	Retention and detention facilities with the following characteristics: 1. Perimeter access. An easement of at least fifteen (15) feet from the top of bank with a minimum five (5) feet wide path of a material that meets the requirements of the ADA. 2. Access. An area of open space at least twenty (20) feet wide shall extend from a street right-of-way to the fifteen (15) foot perimeter access area of the detention area. 3. Planting. Native plant material is encouraged around the perimeter of retention ponds.



Any area with slopes exceeding a twenty-five percent (25%) grade.	Development amenity areas containing semi-public areas such as: 1. Plazas with seating and special features such as public art or fountains. 2. Pocket parks with seating and landscaping. 3. Decorative water features; and lakes.
Any wetlands on the development site, unless preserved as a conservation area.	

The city's ordinance permits for the following mix of amenities at the discretion of the developer for all SFA zoned properties, 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 ordinance permits the following mix of amenities for MF2 zoned properties:

- Swimming pool;
- Golf course or Putting green;
- Resident clubhouse;
- Pet park, minimum of two-thousand (2,000) square feet;
- Community center (meeting room, assembly hall, etc.);
- Community garden with raised beds;
- Rooftop terrace;
- Library/study
 - Computer resource center/internet café
 - Learning center/childcare
- Koi pond/water gardens;
- Nature trails Fitness center and/or recreation building;
- Pocket parks Basketball, volleyball, or other sport court;
- Other amenity approved by city. Two tot lots with a minimum size of five-hundred (500) square feet per lot;
- 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) grill/pit per area;

Offsite Improvements

Several off-site improvements are proposed along Mirror Lake Boulevard. The developer proposes



acceleration and deceleration lanes along with sidewalks on Mirror Lake Boulevard and the proposed Mirror Lake Connector. No other off-site improvements are indicated on the plat. The developer also proposes two stormwater management area onsite. A new access route (Mirror Lake Connector) from the downtown area is shown on the Site Plan with associated improvements, including a traffic circle and realignment.

Density

The applicant has proposed a gross density of 7.7 dwelling units per acre (du/acre) for the townhome section of the development and a density of 21.2 for the multifamily component based on the Site Plan submitted. As this development is located within the SFA and MF2 Zones, the maximum density permitted is 17.42 du/acre for the SFA Zone and 19.36 du/acre for the MF2 zone. The development meets the required density in the SFA Zone, but will require a variance to increase the density in the MF2 Zone as proposed.

Flood Plain

A stream (identified as Town Branch on FEMA maps) forms the western boundary of the project along the edges of Parcels B and C. Based on the Site Plan submitted, the applicant appears to abide by the state 25' non-disturbance buffer, but has not indicated the extent of the city's 50' or 75' buffer on the plan. Figure 2, below, indicates the flood zone map for the property:



National Flood Hazard Layer FIRMette



Legend

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

SPECIAL FLOOD HAZARD AREAS	Within Base Flood Elevation (BFE) Zone A, V, X, Z Within BFE Depth Zone A, C, D, X, VE, AF Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile, Zone X Future Disturbance 1% Annual Chance Flood Hazard, Zone X Area with Reduced Flood Risk due to Levee, See Notes, Zone X Area with Flood Risk due to Levee, Zone X
OTHER AREAS	Area of Minimal Flood Hazard, Zone X Effective UVRs Area of Unclassified Flood Hazard, Zone X
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation Channel Transition Base Flood Elevation Line (BFE) Limits of Study Jurisdiction Boundary Channel Transition, Baseline Profile Baseline Hydrographic Features
MAP PANELS	Digital Data Available No Digital Data Available Unmapped

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

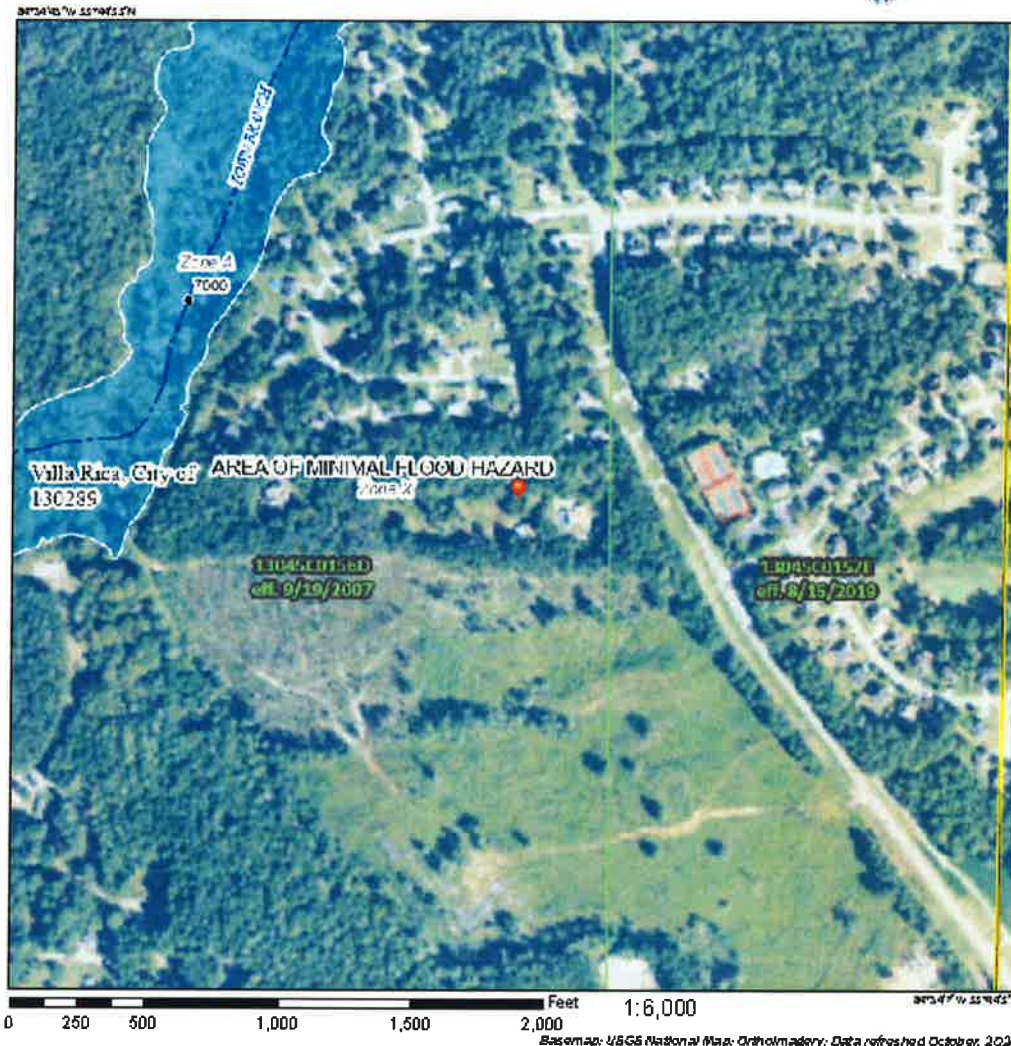


Figure 2: National Flood Hazard Layer FIRM Map 13045C0158D

Buffering/Screening/Tree Conservation:

A landscaping plan will be required to be submitted by the applicant at the time of Final Plat submittal. Section 7.05(7) of the zoning ordinance requires that a twenty (20) foot wide landscape area adjacent to the road or right-of-way be provided, and must be designated as “common area” or placed in a landscape easement. In addition, several shrubs and trees must be planted within this area. Trees are to be planted at a minimum rate of five (5) trees per one-hundred (100) linear feet of perimeter planting. Shrubs are to be provided at a minimum rate of ten (10) per one-hundred (100) linear feet of perimeter planting. Decorative perimeter fencing is also required within a common area adjacent to the right-of-way.

Based on Table 7.7: *Individual Residential Lot Landscape*, the SFA Zoning District has a



requirement that each townhome has a minimum of two trees each, and ten (10) shrubs. All 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

Additional landscape areas, such as surrounding retention ponds, street trees and other planting requirements will be enforced by the department as required, including the planting and buffering specified above.

D. 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 “Urban Village” as the future land use character area for the parcels. The intent of the Urban Village Character Area is as follows:

“Complement downtown area through establishing a development pattern characterized by a network of streets and paths suitable for both vehicles and pedestrians. Urban Village areas are characterized by moderate density residential development and neighborhoods. Urban Villages feature traditional neighborhood development with a focal point represented by neighborhood commercial development. This non-residential development is typically clustered around a prominent intersection in the neighborhood and can include neighborhood commercial services and retail options. Areas suitable for Urban Village development surround the downtown area and are an extension of compact, gridded development pattern of downtown. Typically, Community Crossroads are present, which provide an area suitable for small-scale commercial development (detached or attached structures) that serves the surrounding neighborhood, creating a “Village” character.”



The character area has design principles that recommend “moderate to high density (Up to 8 du/ac for single family development); Higher densities”.

Primary Future Land Uses:

- Detached single-family dwellings
- Attached single family dwellings where compatible with adjacent character; Two-family dwellings (duplex), and multi-family dwellings (apartments, townhouses, similar)
- Clustered neighborhood commercial/Small-scale mixed use (restaurants, retail, single offices)
- Civic benefit uses such as community centers, libraries, places of worship and schools
- Parks, greenways, trails

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

TABLE 3 - APPROPRIATE ZONING CATEGORIES – SUBURBAN VILLAGE	
<u>UDC Zoning Categories</u>	<u>Corresponding 2020 Zoning Ordinance Category</u>
Single Family (R20)	Single-Family Suburban (R1) Single-Family Urban (R2)
Multi-Family (R-14)	Multi-Family Low-Density (MF1)
Residential Townhome (RT)	Single-Family Attached (SFA)
Planned Development (PD)	Planned Unit Development (PUD)
Neighborhood Commercial (NC)	Commercial Low-Density (C1)
Office-Institutional	Office Medical Institutional (OMI)

The proposed development appears to meet the intents of the Urban Village Character Area in the Comprehensive Plan.

- ii. **Current conditions and the character of current structures and uses in each district;** Parcels B and C are vacant with no uses or structures. Parcel A features a single-family home constructed in 1993. The character of the I2 zone is typical of a larger industrial use, whereas an AG zoned lot typically features single-family homes on larger lots or vacant land. The character of the MF2 zone is typical of a multifamily development typically consisting of apartments or condominiums. The C2 Zone typically features commercial and



restaurant uses. The SFA Zone typically consists of townhomes. The uses to the north and east are single-family in nature and are located within existing neighborhoods. The area to the south is industrial in nature, whereas the area to the west is currently vacant and feature a city park and office. This area to the west is projected to complement the proposed development with higher density and apartment uses. That project (Arbour Valley) is expected to be cohesive with the proposed development.

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

The proposed development is a desirable use based on the Comprehensive Plan and overall character of the area. The current use of the properties as vacant (Parcels B and C) and a single-family home (Parcel A) are not the highest and best uses for the properties given the acreage and the density recommendations stated in the Comprehensive Plan, as well as the density and commercial capacity in the surrounding areas, street pattern and access to major roadways.

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

Property values are expected to be increased by the new housing stock and commercial components, and would further reduce the number of vacant parcels in the city should the rezoning and development of the lot materialize.

v. Responsible development and growth

The rezoning would be in-kind with similar developments nearby as well as proposed developments. The eastern sections of the city, particularly within Douglas County, are experiencing rapid growth within and surrounding the Mirror Lake community. The commercial uses will primarily service this general area and there is a need for more commercial space nearby. The townhomes and apartments would add to the existing pool of proposed projects within the city that continues to expand our diversity of housing opportunities for all ages and incomes. The road network in the area provides access to I-20 via Mirror Lake Boulevard and Downtown via the new Mirror Lake Connector. The connector will be designed for pedestrians, vehicles and golf carts.

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 rezoning will permit a variety of commercial uses that are permitted within the C2 Zone along with townhomes and apartments that would supplement other multifamily pressures on the eastern side of the city. The only other apartment complex within this vicinity is Hawthorne at Mirror Lake, which is approximately a half mile from the intersection of Mirror Lake Boulevard and Conners Road. This proposal appears to address this lack of multi-family and townhome construction in this general area.



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

The use is not expected to affect the existing uses nearby or usability of any adjacent structures or lots. The use is consistent with the density of Arbour Valley to the west and would complement the downtown area and the Mirror Lake Boulevard area with new construction residential and expanded shopping opportunities.

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

The property does have a reasonable economic use as currently zoned, however it is not the highest and best use of land given the acreage and Comprehensive Plan designations for appropriate zoning, which would allow for higher density and/or intensity. Because of the size and location of the parcel, along with development pressures along the Mirror Lake Boulevard corridor, the rezoning to SFA, C2 and MF2 would provide more economic activity and viability to the land and surrounding area.

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. Potential traffic impacts along Mirror Lake Connector and Mirror Lake Boulevard must be studied and reviewed by the City Engineer as a part of final plat approval.

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 Urban Village as the land use character areas, which recommend higher density within the areas between Downtown and Mirror Lake Boulevard. This is consistent with the requested zone change from AG and I2 to MF2, SFA and C2.

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.

This area of the city is undergoing a transformation, which includes a new traffic circle at Dallas Highway and Punkintown Road; the resumption of large-scale residential single-family detached housing in Mirror Lake, and the planning and engineering for the Mirror Lake Connector Road. These changing conditions warrant additional development that will capitalize off of these infrastructure improvements and make these projects viable.

E. Comments

1. 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.

2. 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.
3. A Landscape Plan, Open Space Plan and other details, as required, should be submitted to the City Engineer for review prior to Final Plat approval.
4. The applicant's proposal appears to indicate higher density for the apartments within the MF2 Zone than what the zone permits. The applicant should provide testimony on the density for the development. The developer will be required to apply for a variance or reduce the density prior to approval of the Final Site Plan and is NOT required at to be executed at this time.
5. The average square footage of the townhome units and the multifamily units is under the amount required in the MF2 and SFA zones. The developer will be required to apply for a variance or increase the size of the units prior to approval of the Final Site Plan and is NOT required at to be executed at this time.
6. The elevation drawings submitted for the townhomes feature dimensions that are different than the dimensions indicated on the site plan. The applicant shall provide testimony on the dimensions of townhome units.

Recommendation:

Staff recommendation: **APPROVAL**

Reasons: The requested zoning would permit uses that are consistent with the surrounding area and would provide further growth along the Mirror Lake Boulevard corridor. The proposal is the highest and best use for the land from a planning perspective.

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 September 30th, 2021; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

In response to the public notifications, no residents have contacted the city to voice concern or support for the proposed actions.

Should you have any questions concerning the above comments please do not hesitate to contact me. I reserve the right to make additional comments based upon further review or submission of



Fuqua Acquisitions II, LLC – Mirror Lake Boulevard
RA-08-21 and RA-09-21
October 5th, 2021
Page 15 of 17

revised plans or new information.

Very truly yours,

Ronald Johnson

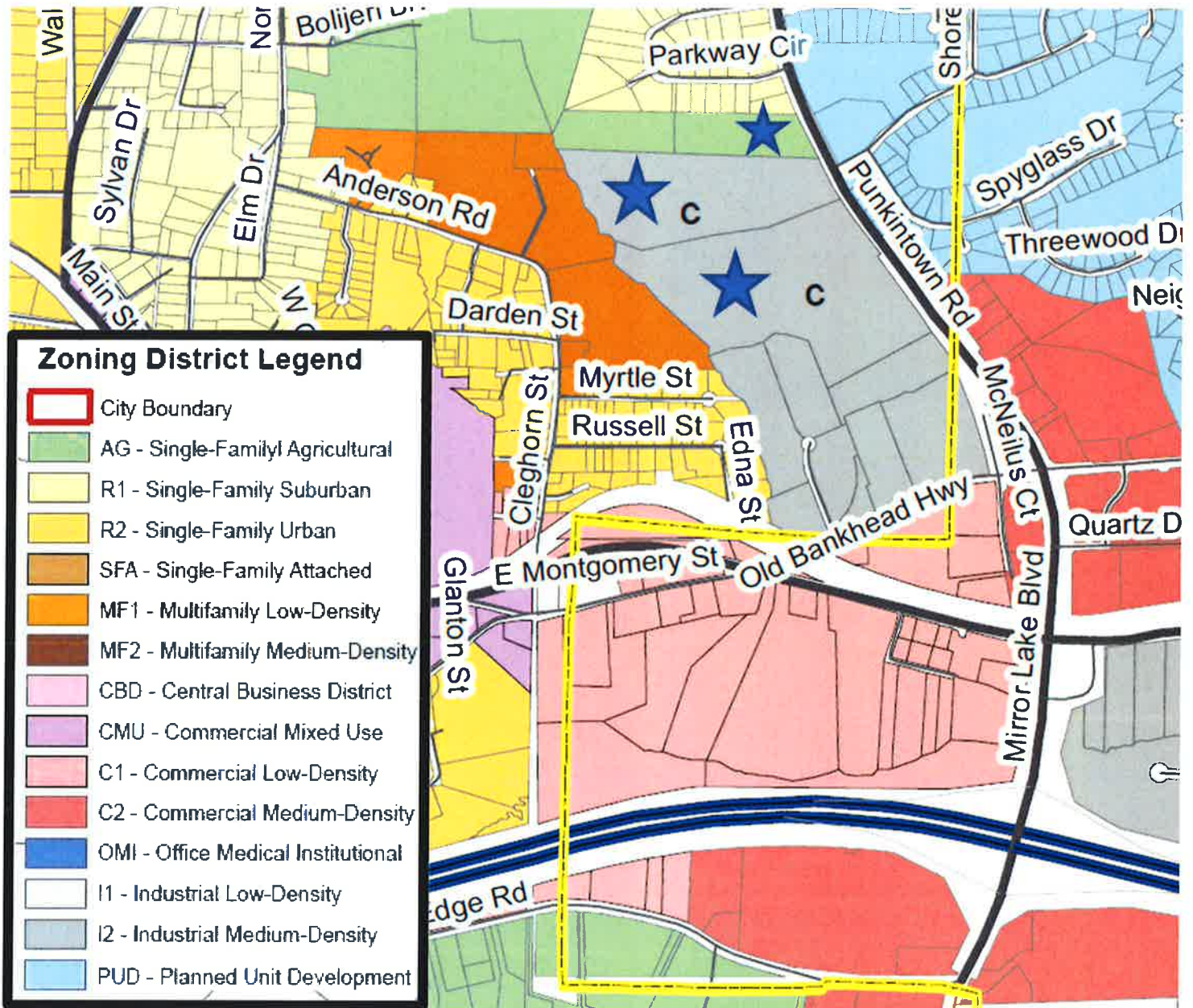
Planning & Zoning Specialist

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



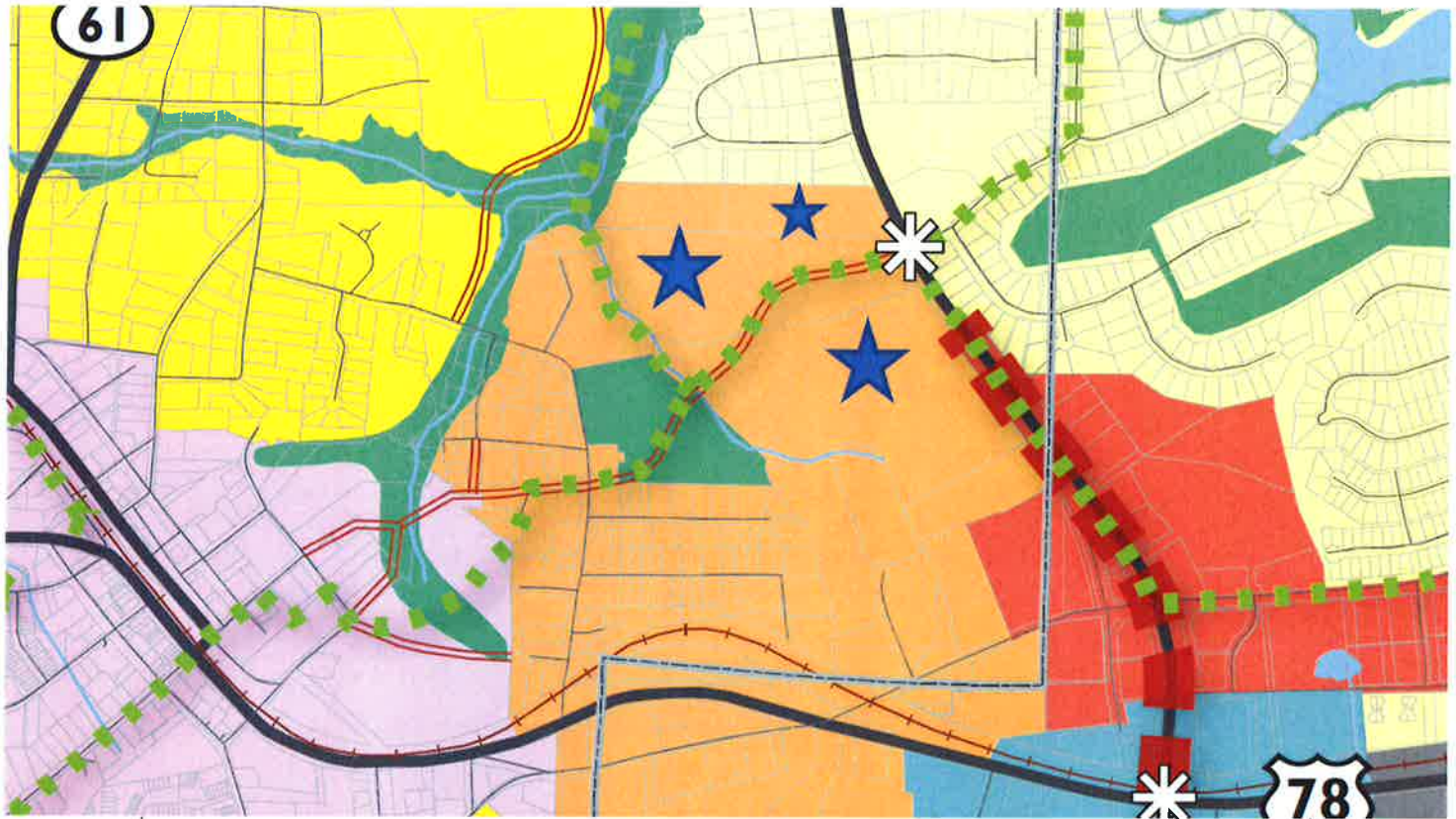
Corresponding Maps:

Villa Rica Zoning Map:





Villa Rica Future Land Use 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





APPLICATION TO REZONE PROPERTY

**Located in Villa Rica, GA
Mirror Lake Boulevard at Shoreline Parkway**

**Submitted By:
Fuqua Development, LP
3575 Piedmont Rd. NE, Suite 800
Atlanta, GA 30305**



Table of Contents

Zoning Map Amendment Application

Owners Affidavit

Written Statement

Conceptual Site Development Plan

Conceptual Architectural Theme/Material Exhibits



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: September 13, 2021

APPLICANT

Applicant Name: Fuqua Acquisitions II, LLC

Address: 3575 Piedmont Rd., NE Ste 800 City: Atlanta State: GA Zip Code: 30305

Phone: 404-907-1709 Fax: _____ Email: Jeff.Fuqua@fuquadev.com

Agent Name: Jeff Fuqua

Address: 3575 Piedmont Rd., NE Ste 800 City: Atlanta State: GA Zip Code: 30305

Phone: 404-907-1709 Fax: _____ Email: Jeff.Fuqua@Fuquadev.com

Owner Name (If different from applicant): David R. Schoerner and DMS Columbia Dr. ,LLC d|b|a Schoerner Enterprises, Joint Venture Address: 125 Wind Song Court City: Carrollton State: GA Zip Code: 30117

Phone: 404-583-1183 Fax: _____ Email: drs1850@aol.com

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: Industrial Low Density (I1)

Requested Zoning: _____

C2-Medium Density Commercial
SFA - Single Family Attached
MF2 - Medium Density Multi-Family

Property Address: Tax Parcels V05_0180085,V05_0180062 City: Villa Rica State: GA Zip Code: 30180

Nearest Intersection: Mirror Lake Blvd & Shoreline Parkway

Present Use of Property: Undeveloped Land

Proposed Use: General Commercial, Retail, Grocery, Multi Family and Townhomes

Size of Tract 55 Acres Land Lot Numbers: 176 Districts: 2nd District

Gross Density: SFA 17.4 units/acre MF2 19.36 units/acre Net Density _____ Unit(s) Per Acre

Property Tax Parcel Number: V05-0180085, V05-0180062



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.

- X 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.
- X 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).
- X 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.
- N/A 4. Additional exhibits, as may be required by the Community Development Director.

We certify that the foregoing information is true and correct, this 13th day of September, 2021.

Jeff Fuqua, President - Fuqua Acquisitions II, LLC
Applicant's Name – Printed

Signature of Applicant

SIGN HERE

Applicant's Attorney (*If applicable*) – Printed

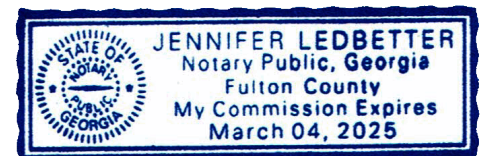
Signature of Applicant's Attorney (*If applicable*)

Sworn to and subscribed before me this 13th day of September

2021

Jennifer Ledbetter
Notary Public

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

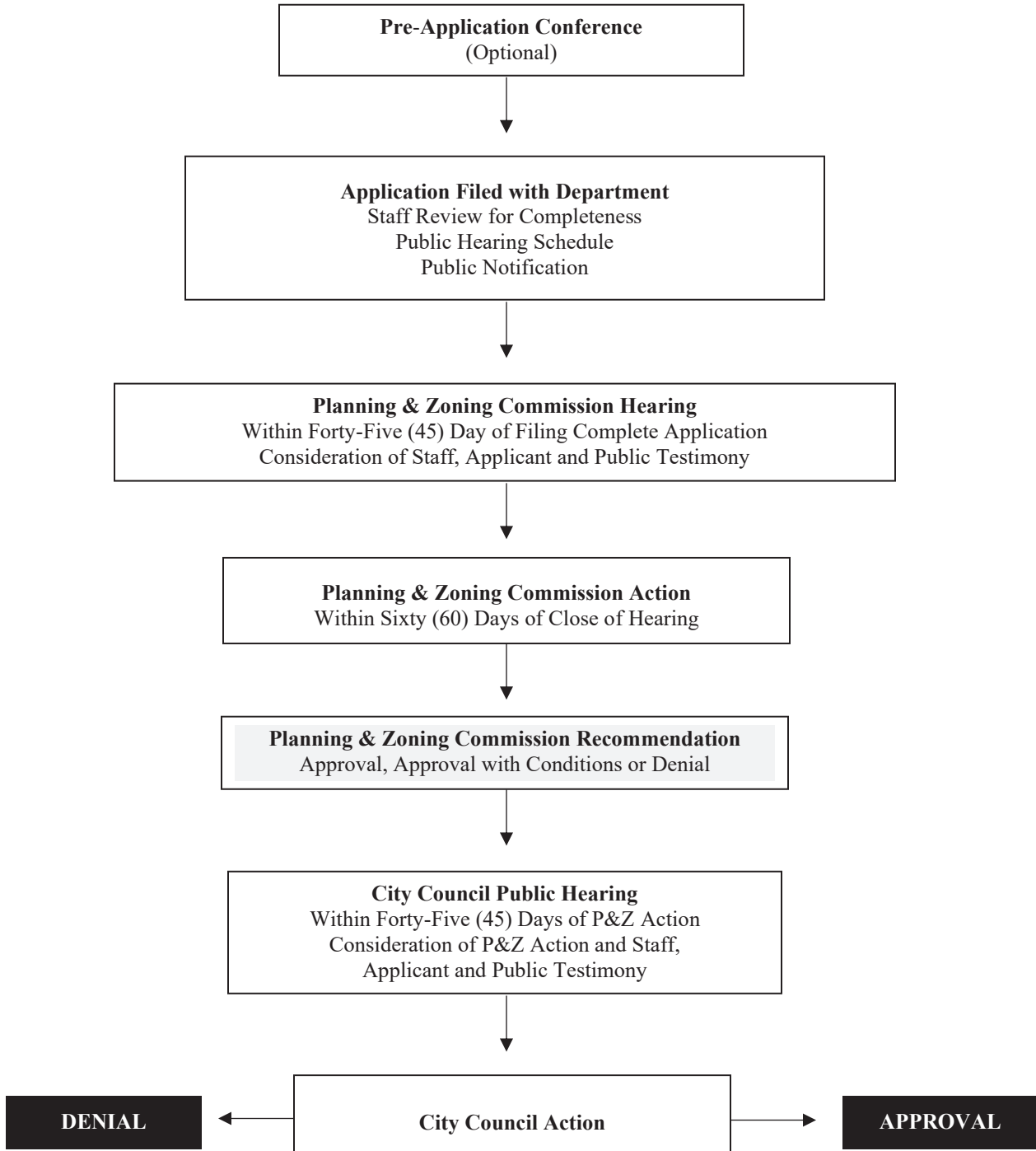




Case # _____

REZONING APPLICATION REVIEW

PROCESS





THE CITY OF VILLA RICA

CONTACT US

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

AUTHORIZATION OF PROPERTY OWNERS

Name of owner(s) DAVID R. SCHOERNER AND DMS COLUMBIA DR., LLC
d/b/a SCHOERNER ENTERPRISES, JOINT VENTURE

Address 125 WIND SONG COURT
CARROLLTON, GEORGIA 30117

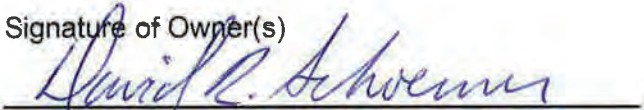
Phone Number 404-583-1183

Name of applicant(s) FUQUA ACQUISITIONS II, LLC

Address FIFTEEN PIEDMONT CENTER
3575 PIEDMONT RD, NE SUITE 800, ATLANTA, GA 30305

Phone Number 404-907-1709

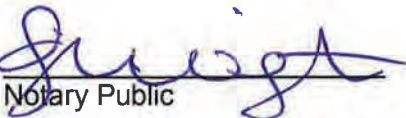
I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s) 
DAVID R. SCHOERNER, JOINT VENTURE MANAGING MEMBER

Personally appeared before me

David Roger Schoerner

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


Notary Public

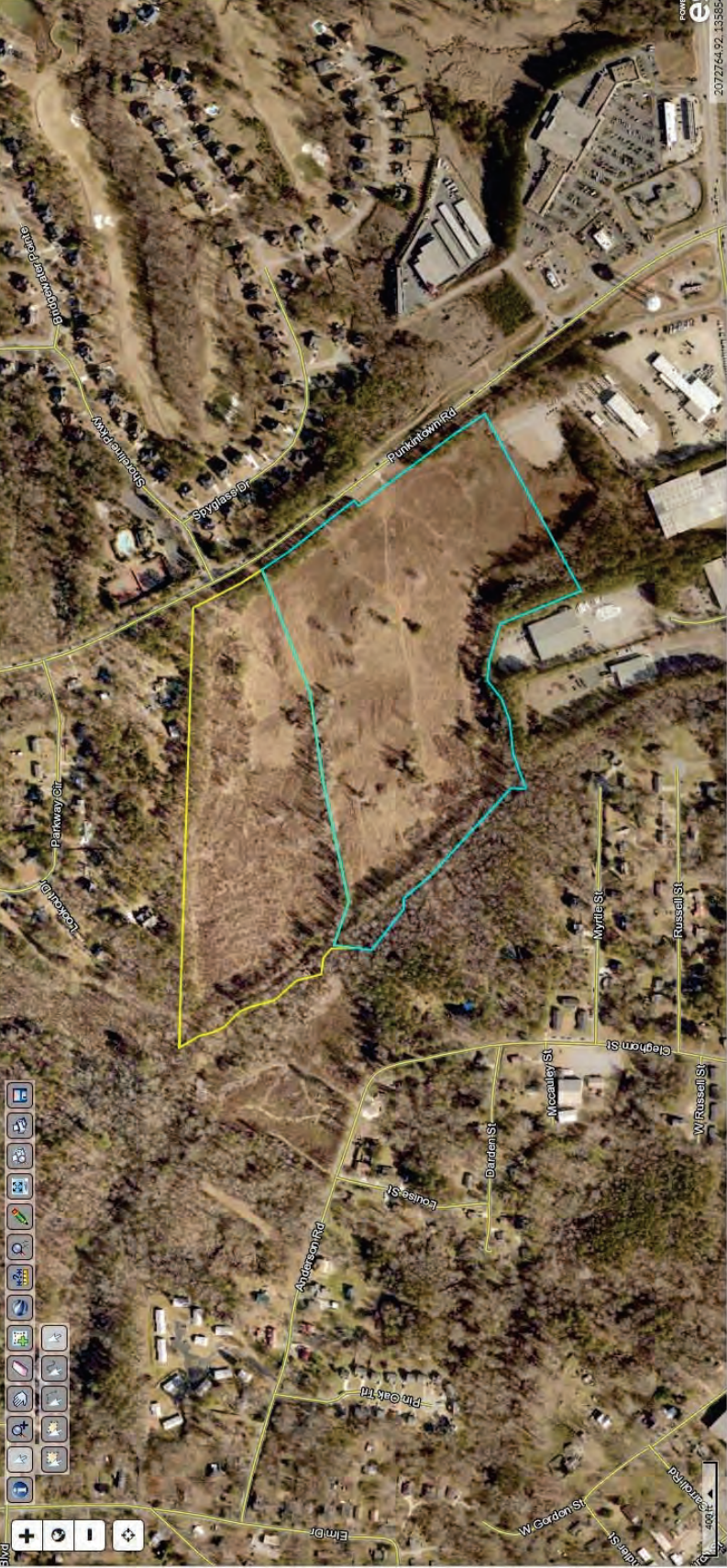
9-7-21
Date



- Layer List Legend
- Quick Links:
- [Search Records](#)
 - [View Map](#)

Layers:

- ☒ Parcels
 - ☐ Address Numbers
 - ☐ Zip Code
 - ☐ City Boundary
 - ☐ Information Point
 - ☐ Parcel Numbers
 - ☐ District
 - ☐ Land Lot
 - ☐ Yearly Sales
 - ☒ Roads
 - ☐ USA Major Highways
 - ☐ Railroads
 - ☐ City Labels
 - ☐ Subdivisions
 - ☒ Streams and Rivers
 - ☐ Streams and Rivers (Small)
 - ☐ Streams and Rivers (Large)
 - ☐ Lakes
 - ☐ Flood Map
 - ☐ Parcel Splits
 - ☐ State Outlines
 - ☒ 2017 Aerial Photos
 - ☐ 2016 Aerial Photos
 - ☐ 2013 Aerial Photos
 - ☐ Google Imagery
- Restore Layer Defaults



Parcel ID: V05 0180085
Class Code: Industrial
Taxing District: VILLA RICA
Acres: 34

Owner: SCHOERNER DAVID & DMS COLUMBIA LLC
DBA SCHOERNER ENTERPRISES
125 WINDSONG CT
CARROLLTON, GA 30117
Physical Address: MIRROR LAKE BLVD
Assessed Value: Value \$300000

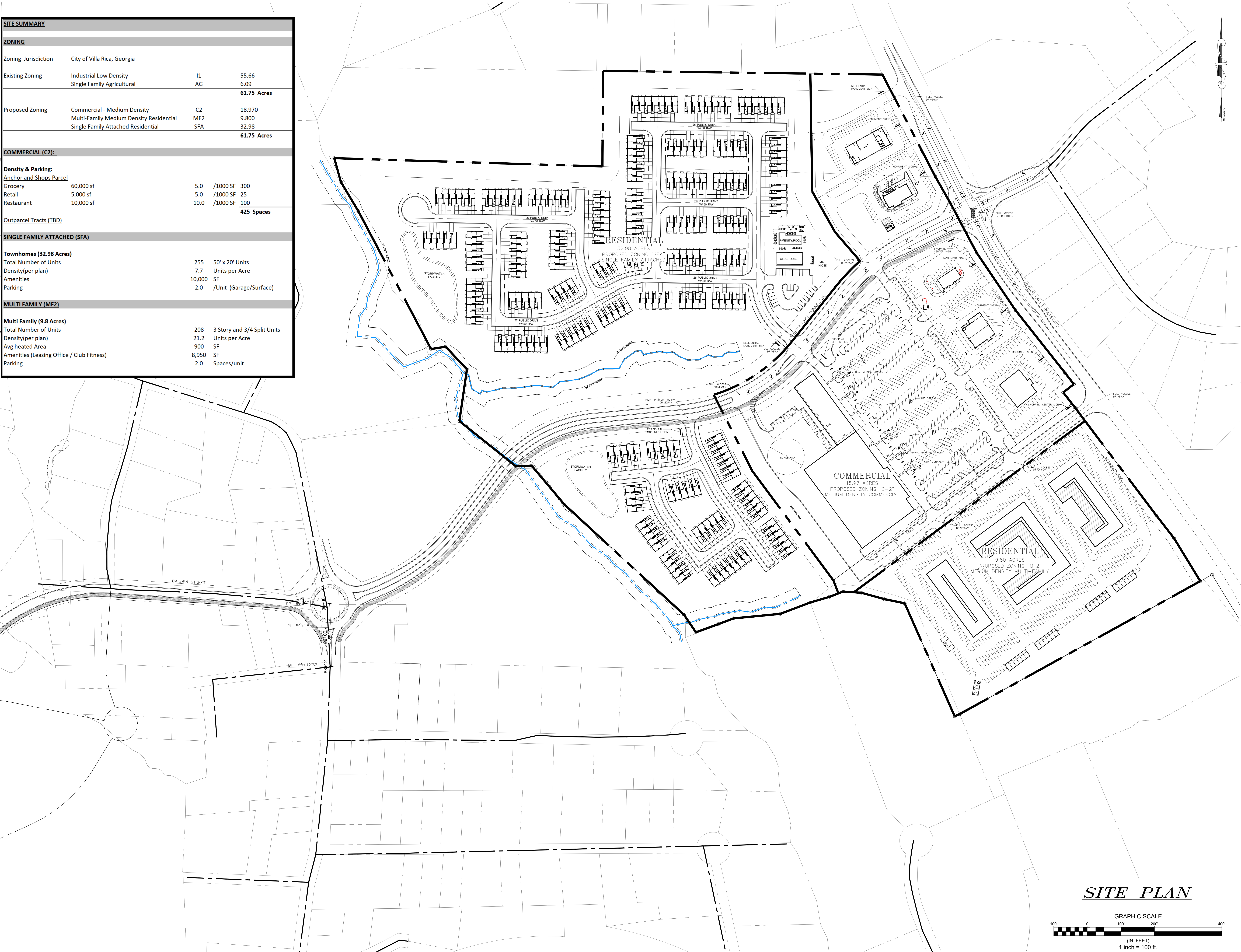
Last 2 Sales
Date: 12/31/2010
Price: 0
Reason: U
Qual: n/a

Results:

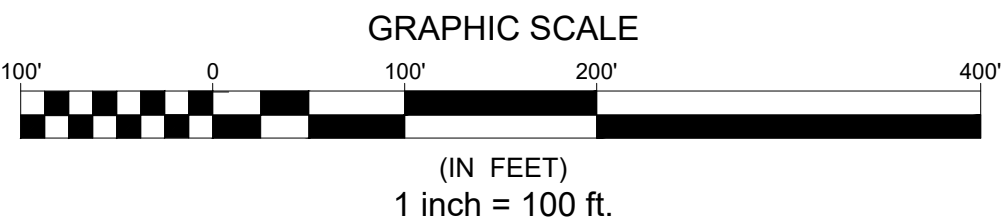
Parcel ID: V05 0180085
Alt ID: 522195
Address: MIRROR LAKE BLVD
Owner: SCHOERNER DAVID & DMS COLUMBIA LLC
DBA SCHOERNER ENTERPRISES
Acres: 34
View Report | Field Definitions

Parcel ID: V05 0180062
Alt ID: 30758
Address: MIRROR LAKE BLVD
Owner: SCHOERNER DAVID & DMS COLUMBIA LLC
DBA SCHOERNER ENTERPRISES
Acres: 20
View Report | Field Definitions

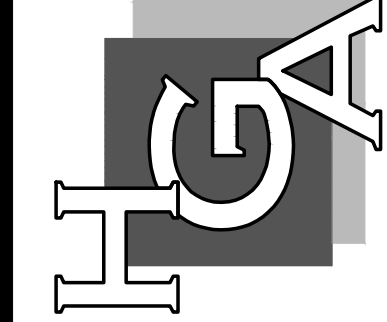
SITE SUMMARY				
ZONING				
Zoning Jurisdiction	City of Villa Rica, Georgia			
Existing Zoning	Industrial Low Density	I1	55.66	61.75 Acres
	Single Family Agricultural	AG	6.09	
Proposed Zoning	Commercial - Medium Density	C2	18,970	61.75 Acres
	Multi-Family Medium Density Residential	MF2	9,800	
	Single Family Attached Residential	SFA	32.98	
COMMERCIAL (C2):				
Density & Parking:				
Anchor and Shops Parcel				
Grocery	60,000 sf	5.0	/1000 SF	300
Retail	5,000 sf	5.0	/1000 SF	25
Restaurant	10,000 sf	10.0	/1000 SF	100
				425 Spaces
Outparcel Tracts (TBD)				
SINGLE FAMILY ATTACHED (SFA)				
Townhomes (32.98 Acres)				
Total Number of Units	255	50' x 20' Units		
Density(per plan)	7.7	Units per Acre		
Amenities	10,000	SF		
Parking	2.0	/Unit (Garage/Surface)		
MULTI FAMILY (MF2)				
Multi Family (9.8 Acres)				
Total Number of Units	208	3 Story and 3/4 Split Units		
Density(per plan)	21.2	Units per Acre		
Avg heated Area	900	SF		
Amenities (Leasing Office / Club Fitness)	8,950	SF		
Parking	2.0	Spaces/unit		



SITE PLAN



HAINES GIPSON & ASSOCIATES
CONSULTING ENGINEERS
CIVIL & STRUCTURAL SERVICES
1550 NORTH BROWN ROAD, SUITE 100
LAWRENCEVILLE, GEORGIA 30043
PHONE: (770) 491-7550
FAX: (770) 491-7750



SEAL



A PROPOSED UNIT

Villa Rica
MIRROR LAKES
CAROLTON, GEORGIA

NO.	BY	DATE	DESCRIPTION

DRAWN BY SCA	CHECKED BY SCA
DATE 9/07/2021	
SHEET TITLE CONCEPTUAL SITE PLAN	
SHEET NUMBER SP-17z	

Villa Rica

CARROLL COUNTY, GEORGIA

Written Statement
September 13, 2021

1. PROJECT OVERVIEW

This application is being filed on behalf of the property owners Schoerner (V05 0180062, V05 0180085) and Condon (V05 0180075) located on Mirror Lake Blvd across from Shoreline Parkway. The proposed rezoning will change the current zoning from Industrial Low Density(I1) and Single Family Agricultural (AG) to Single Family Attached Residential (SFA), Multi-Family Medium-Density Residential (MF2) and Commercial Medium Density (C2) according to the Site Development Plan provided. The zoning change will allow a new multi-use development and create new vehicle and pedestrian connectivity for Villa Rica residents. The uniqueness of the development may require variances to the zoning. For instance, the parking standards for commercial parking are below what is typically provided and some flexibility is requested as indicated on the plan. Attached on the following pages are “Conceptual Architectural Theme” drawings that depict potential general design themes and materials that are being considered for use on the project.

Pursuant to Villa Rica Code of Ordinances Appendix B Ch. XI Sec. 11.05, if the project is does not move forward as proposed the City of Villa Rica will initiate a process to revert the zoning to the original zoning through a zoning map amendment.

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;

The new development will include both retail and residential which are consistent with adjacent and nearby properties. Surrounding uses include single family detached subdivisions, light industrial and medium density retail. No detrimental effects are anticipated on the surrounding areas. The proposed residential developments will provide new homes with walkable access to restaurants and services. Applicant will facilitate future ROW dedication for the proposed Mirror Lake Connector (and associated cart path).

b. Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan

The proposed zoning map amendment is consistent with the intent of the code and the Comprehensive Plan. As specified, the future land use for this site is “Urban Village”. Urban Village is described as “moderate density residential and neighborhoods” and a “traditional neighborhood with a focal point represented by neighborhood commercial development”. The proposed development includes new residential neighborhoods and a commercial hub with grocery, retail and restaurants that are pedestrian accessible.

c. The areas which are most likely to be directly affected by such change and the likely effects.

The project will bring greater desirability to the area, generate additional tax revenues and increase property values. As stated, there are no negative impacts expected in the area as a result of the project. Buffers are planned between commercial and residential to separate uses. Stormwater protection regulations will be followed throughout the life of the project.

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

The proposed development supports Villa Rica's continued population growth by offering new housing, conveniences and services. The energy of the proposed development will draw residents of Mirror Lake Neighborhood westward toward downtown and vice versa creating opportunities and conveniences not currently available.

e. The proposed time schedule and phasing for development;

The development is projected to start in late 2022 and complete in late 2024.

f. The source/method for providing utility/infrastructure services to the property;

Water and sewer will be public and provided by the City of Villa Rica. No offsite infrastructure upgrades are anticipated at this time. The new Mirror Lake Connector and ROW will be public.

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;

The project will facilitate ROW dedication for construction of a section of the Mirror Lake Connector to Cleghorn Street. There are 2 new full access drives shown on Mirror Lake Blvd/Punkintown Road and 3 full access drives on the new Mirror Lake Connector. All internal roads and interparcel access drives are part of the overall development.

h. A list of any state, federal or other public agencies' approvals or permits required for the proposed development.

The project will be submitted to City of Villa Rica for land disturbance and building permits.



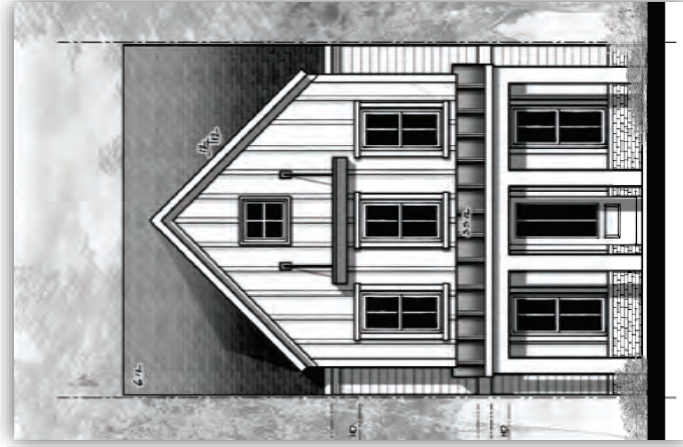
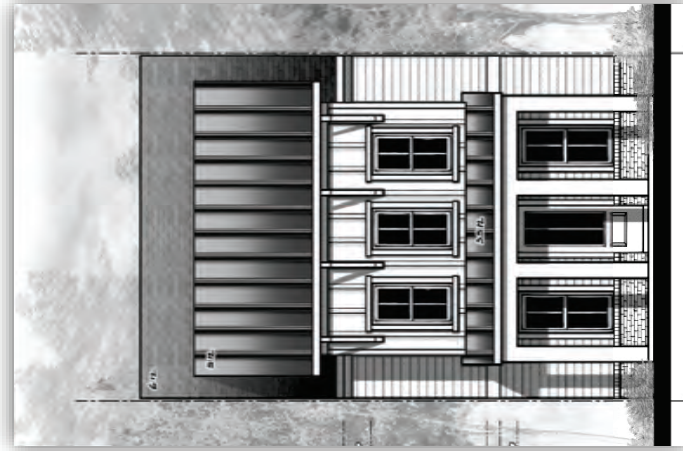
PINEGROVE
COMMUNITIES

Typical Townhome Product

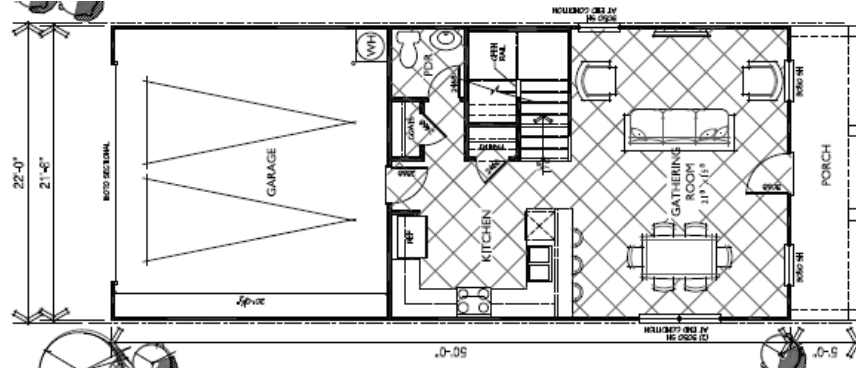
Rear Entry Unit Elevation
22' x 55' – 1,650 SF



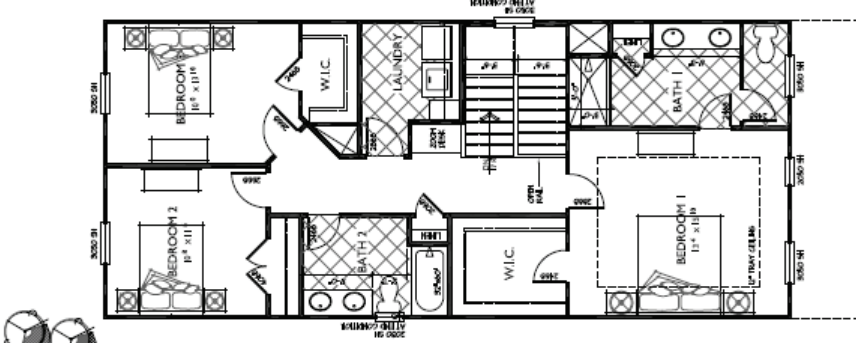
Rear Entry Unit Elevation 2
22' x 55' – 1,650 SF



Rear Entry Unit Floorplan 22' x 55' – 1,650 SF



First Floor

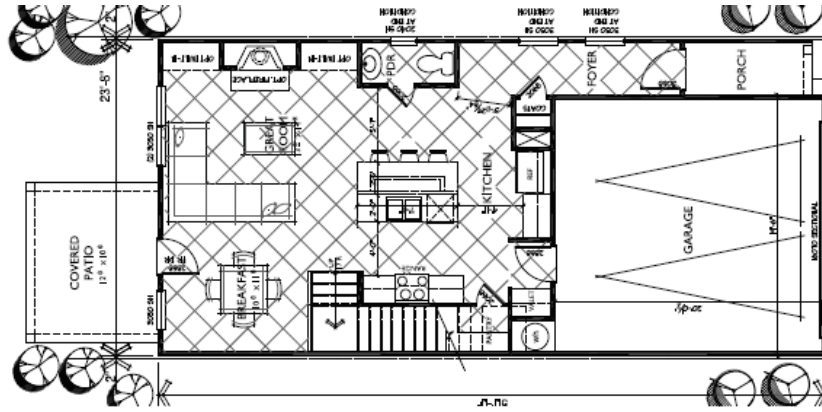


Second Floor

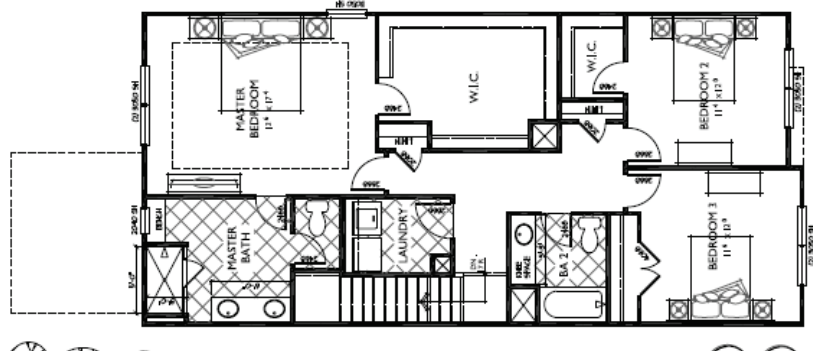
Front Entry Unit Elevation
24' x 50' – 1,850 SF



Front Entry Unit Floorplan 24' x 50' - 1,850 SF



First Floor



Second Floor

Rear Entry Unit Elevation
26' x 50' – 1,950 SF

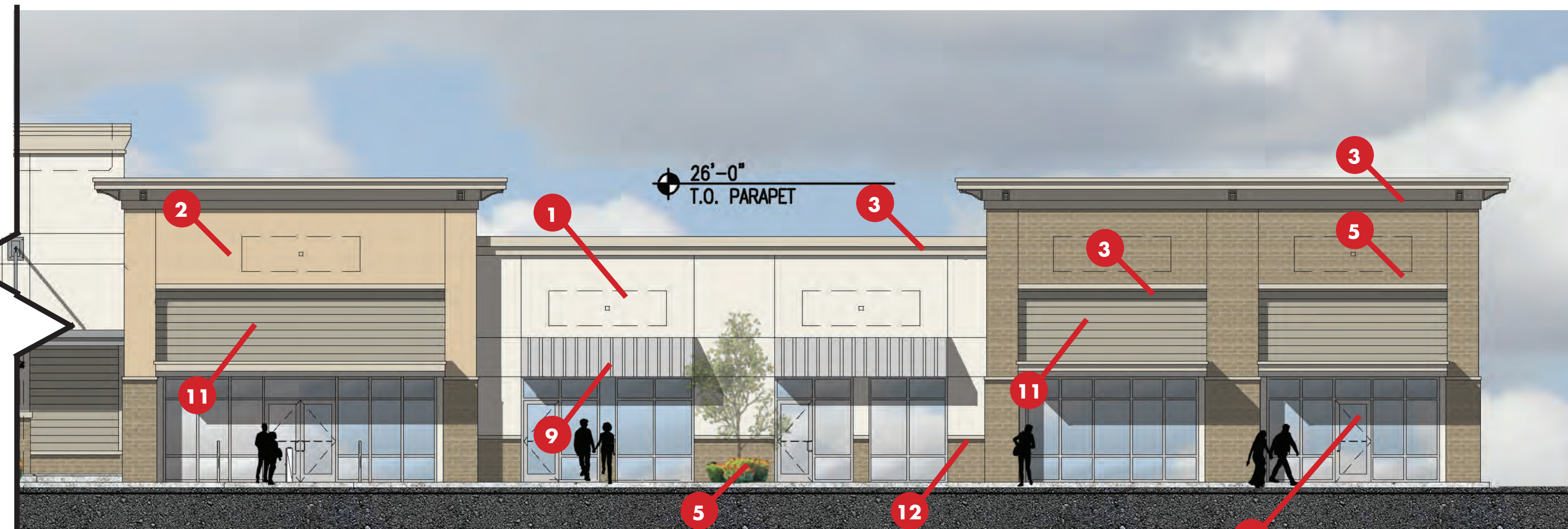
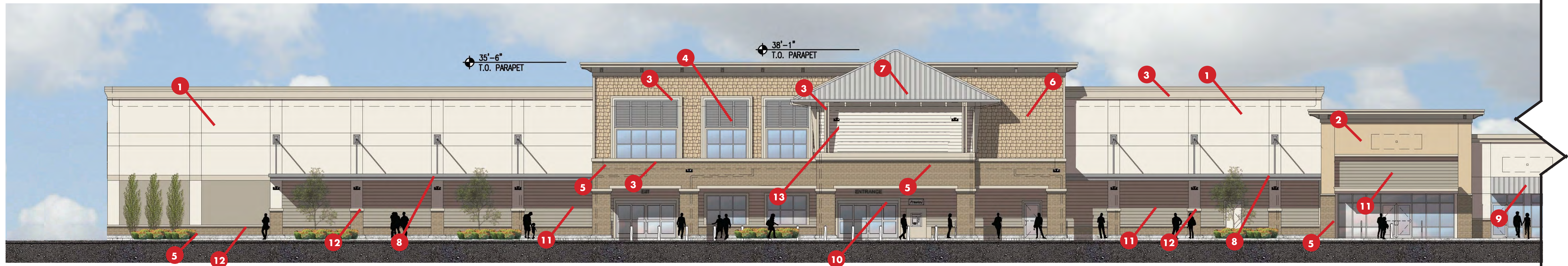


Rear Entry Unit Elevation
30' wide end-unit



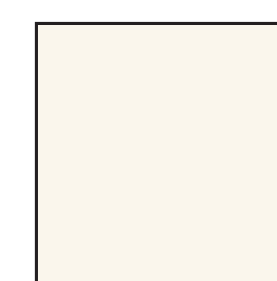
Rear Entry Unit Elevations
5-plex Composite (26' & 30')





FRONT RETAIL ELEVATION

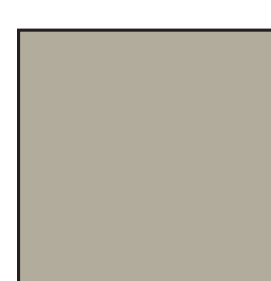
- 1 Painted Stucco Sherwin Williams SW7551 Greek Villa
- 2 Painted Stucco Sherwin Williams SW6120 Believable Buff
- 3 Painted EIFS Sherwin Williams SW7638 Grecian Ivory
- 4 Decorative EIFS "Bahama Shutter" to match SW7664 Steely Gray
- 5 Brick Veneer Acme, Silverado
- 6 Fiber Cementitious Shingle Board Siding to match SW 6120 Believable Buff
- 7 Standing Seam Metal Roof to match Berridge "Zinc Cote"
- 8 Prefinished Aluminum Canopy to match SW7664 Steely Gray
- 9 Aluminum Canopy to match Berridge "Zinc Cote"
- 10 Storefront Clear Anodized Aluminum
- 11 Fiber Cementitious Lap Siding to match Sherman Williams SW7644 Gateway Gray
- 12 4" Bull Nose Pre Cast Concrete Cap
- 13 Fiber Cementitious Lap Siding to match Sherman Williams SW7551 Greek Villa



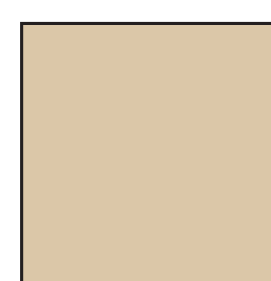
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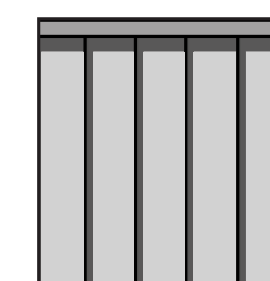
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SW 7644
GATEWAY
GRAY



PAINT
SW 6120
BELIEVABLE BUFF



BRICK
ACME BRICK
SILVERADO



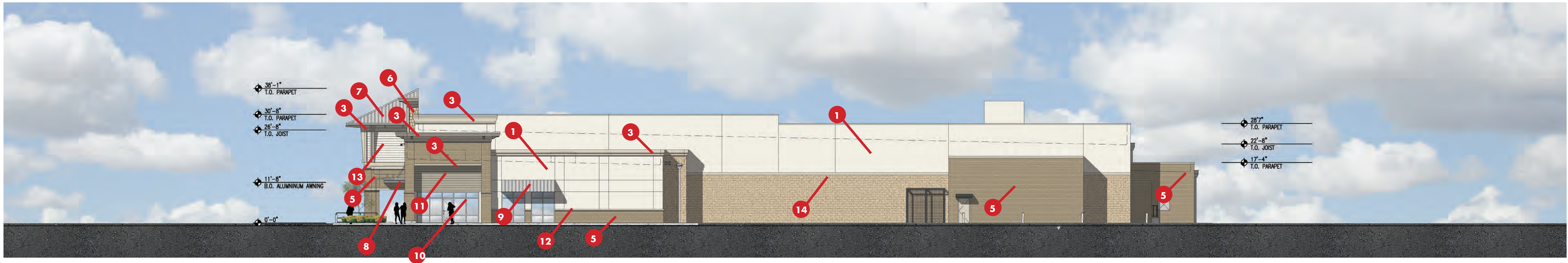
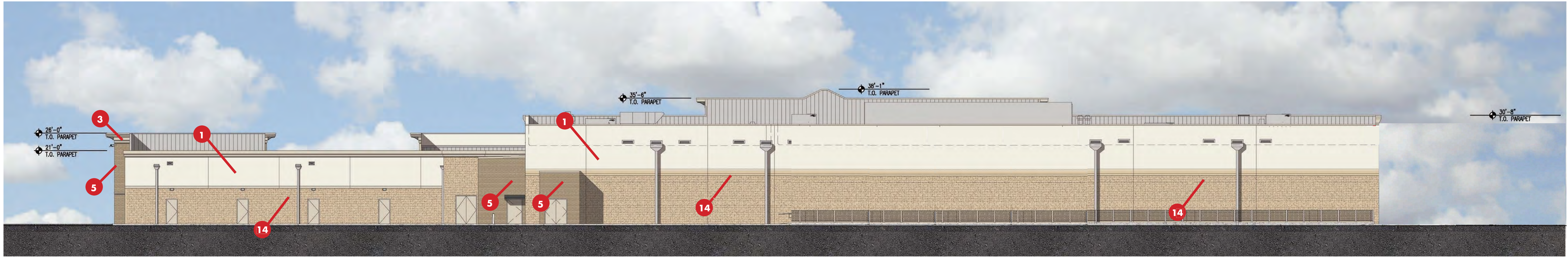
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ZINC-COTE
STANDING SEAM
METAL ROOF



METAL
SW 7069
IRON ORE
RAILING /
DECORATIVE
ALUM. TUBE



SPLITFACE BLOCK
SW 6120
BELIEVABLE BUFF
SPLITFACE BLOCK



1 Painted Stucco Sherwin Williams SW7551 Greek Villa

2 Painted Stucco Sherwin Williams SW6120 Believable Buff

3 Painted EIFS Sherwin Williams SW7638 Grecian Ivory

4 Decorative EIFS "Bahama Shutter" to match SW7664 Steely Gray

5 Brick Veneer Acme, Silverado

6 Fiber Cementitious Shingle Board Siding to match SW 6120 Believable Buff

7 Standing Seam Metal Roof to match Berridge "Zinc Cote"

8 Prefinished Aluminum Canopy to match SW7664 Steely Gray

9 Aluminum Canopy to match Berridge "Zinc Cote"

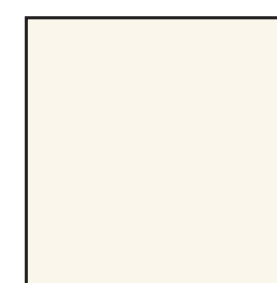
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11 Fiber Cementitious Lap Siding to match Sherman Williams SW7644 Gateway Gray

12 4" Bull Nose Pre Cast Concrete Cap

13 Fiber Cementitious Lap Siding to match Sherman Williams SW7551 Greek Villa

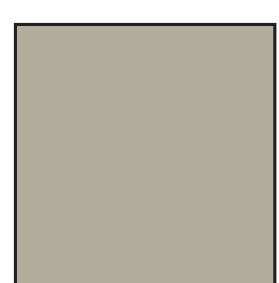
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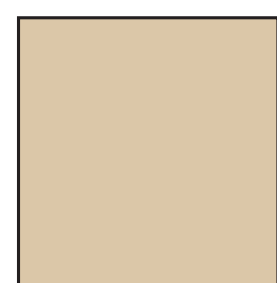
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GRECIAN
IVORY



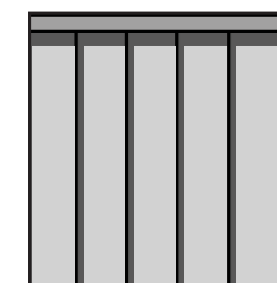
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ACME BRICK
SILVERADO



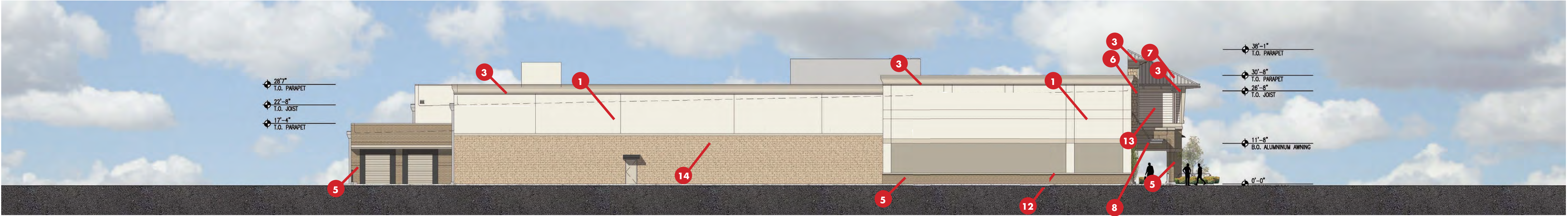
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STANDING SEAM
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IRON ORE
RAILING /
DECORATIVE
ALUM. TUBE



SPLITFACE BLOCK
SW 6120
BELIEVABLE BUFF
SPLITFACE BLOCK



- 1

Painted Stucco Sherwin Williams SW7551 Greek Villa
- 2

Painted Stucco Sherwin Williams SW6120 Believable Buff
- 3

Painted EIFS Sherwin Williams SW7638 Grecian Ivory
- 4

Decorative EIFS "Bahama Shutter" to match SW7664 Steely Gray
- 5

Brick Veneer Acme, Silverado
- 6

Fiber Cementitious Shingle Board Siding to match SW 6120 Believable Buff
- 7

Standing Seam Metal Roof to match Berridge "Zinc Cote"
- 8

Prefinished Aluminum Canopy to match SW7664 Steely Gray
- 9

Aluminum Canopy to match Berridge "Zinc Cote"
- 10

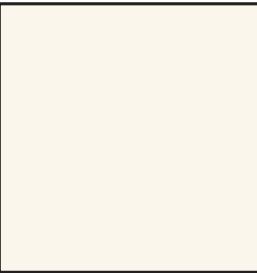
Storefront Clear Anodized Aluminum
- 11

Fiber Cementitious Lap Siding to match Sherman Williams SW7644 Gateway Gray
- 12

4" Bull Nose Pre Cast Concrete Cap
- 13

Fiber Cementitious Lap Siding to match Sherman Williams SW7551 Greek Villa
- 14

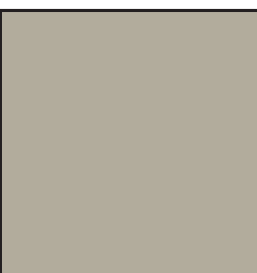
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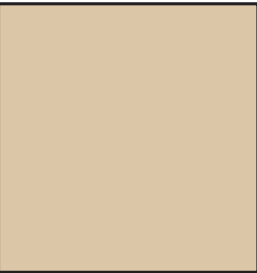
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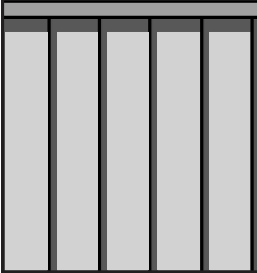
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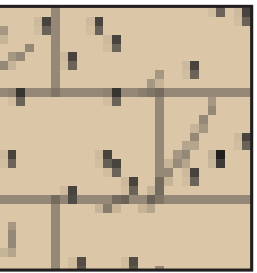
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SPLITFACE BLOCK
SW 6120
BELIEVABLE BUFF
SPLITFACE BLOCK



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



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: RA-09-21 – 384 Mirror Lake Boulevard Rezoning

AGENDA DATE: October 12, 2021

DATE PREPARED: October 1, 2021

PREPARED BY: Ronald Johnson, Planning and Zoning Specialist

PUBLIC HEARING REQUIRED: Yes

PURPOSE: Fuqua Acquisitions II, LLC of Atlanta, GA has requested a rezoning of a property totaling 6.1-acres from Single-Family Agricultural (AG) to Single-Family Attached (SFA) and Commercial Medium-Density (C2).

BACKGROUND: The applicant proposes a mixed use development on three parcels fronting Mirror Lake Boulevard at Shoreline Parkway. The project consists of 18.9 acres dedicated to commercial space, 255 townhome units and 208 multifamily units. The project will be adjacent to the Arbour Valley Development multifamily development and will straddle the proposed Mirror Lake Connector road between Mirror Lake and the Downtown. A grocer, several restaurant pad sites and a retail strip center is proposed along Mirror Lake Boulevard. This project also includes RA-08-21, which includes two properties totaling 55-acres to the south of the subject property and is included within this development. The parcel was previously zoned R14 (multifamily) under the Unified Development Code and was downzoned to Single-Family Agricultural (AG) upon the citywide rezoning in 2020. No variances have been applied for.

STAFF RECOMMENDATION: Staff recommends **Approval**.

PLANNING COMMISSION: N/A

MOTION:

I move to approve the rezoning request from Fuqua Acquisitions II, LLC of Atlanta, GA for a rezoning from AG to C2 and SFA, as outlined by the submitted Site Plan dated September 7, 2021 by Haines Gipson & Associates and as outlined by staff.



October 5th, 2021

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

Re: Planning Report
Fuqua Acquisitions II, LLC
RA-08-21 and RA-09-21
Mirror Lake Boulevard at Shoreline Parkway
and 384 Mirror Lake Blvd
Land Lot 176, District 2
Parcel #: V05 0180085, V05 0180062, V05 0180075
Acreage: 61.1
Ward: 1
Planning Board Member: Unfilled
City Council Member: Shirley Marchman
City of Villa Rica, Carroll County, Georgia

Dear Ms. Cox:

Fuqua Acquisitions II, LLC (the Applicant) seeks a rezoning from Single-Family Agricultural (AG) and Industrial Medium-Density (I2) to Single-Family Attached (SFA), Commercial Medium-Density (C2) and Multifamily Medium-Density (MF2) in order to construct a multi-family apartment complex with 208 units, a townhome community with 255 units, and an 18.97-acre commercial retail shopping center with five outparcels. The Applicant has not requested any variances. This review is being conducted for both applications as each application depends on the success of the other application. Certain recommendations, technical details and other information may not be directly applicable to each individual application, but applicable to the entirety of the project.

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

1. Site Plan, prepared by Haines Gipson and Associates, unsigned and unstamped, dated September 7th, 2021;
2. Rezoning Application and Application Checklist, notarized and dated September 13th, 2021;
3. Applicant Campaign Disclosure Form, undated;
4. Authorization of Property owners, notarized and dated September 8th, 2021, signed by Delena C. Condon and Clay C. Condon;



5. Authorization of Property owners, notarized and dated September 7th, 2021, signed by David R. Schoerner and DMS Columbia Dr, LLC d/b/a Schoerner Enterprises, Joint Venture;
6. Applicant Written Statement, by an unknown preparer, dated September 13th, 2021 (2 Pages);
7. Document entitled “Pinegrove Communities: Typical Townhome Product” including elevations, undated, by an unknown preparer (9 pages).
8. Document entitled “Design Development” including photos of conceptual architecture for Commercial Development, undated, by an unknown preparer (3 pages).

A. Existing Conditions

The subject properties are located west of Mirror Lake Boulevard. **For the purposes of this review, 384 Mirror Lake Boulevard will be referred to as “Parcel A”, V05 0180062 will be referred to as “Parcel B” and V05 0180085 will be referred to as “Parcel C”.**

All three parcels have direct access and frontage along Mirror Lake Parkway. Parcel A has approximately 342.83’ of frontage, Parcel B has approximately 325.48’ of frontage and Parcel C has approximately 1,120.77’ of frontage along Mirror Lake Boulevard. Parcel A is currently zoned Single-Family Agricultural (AG) and features a single-family home. Parcels B and C are zoned Industrial Medium-Density (I2) while Parcel B and Parcel C are undeveloped.

The subject properties are adjacent to residential uses in the existing Stonehenge subdivision to the north, and the Spyglass Hill section of Mirror Lake subdivision to the east across Mirror Lake Boulevard, both of which are in the city limits. Parcel C also borders an industrial area to the south along Conners Road and Grady Knight Industrial Court as well as the Mirror Lake Shopping Center across Mirror Lake Boulevard to the east. Directly west of Parcel A is a single-residential house, and west of Parcel B is the city’s lift station along Anderson Road, along with a parcel approved in 2020 for 192 residential apartment units by Arbour Communities (Arbour Valley). Parcel C borders Cleghorn Street Park and to the west.

The Town Branch stream borders the rear (western) boundaries of Parcels B and C. No streams are present on Parcel A. No easements have been identified on the site plan.

Surrounding Properties:



TABLE 1 – ADJACENT ZONING AND LAND USE CHARACTER AREAS		
	Current Zoning	Land Use Character Area
North	Parcel A: Single-Family Suburban (R1) Parcel B: Single-Family Agricultural (AG) Parcel C: Industrial Medium-Density (I2)	Parcel A: Suburban Neighborhood Parcel B & C: Urban Village
East	Parcels A & B: Planned Unit Development Parcel C: Planned Unit Development & Commercial Medium-Density (C2)	Parcels A & B: Suburban Neighborhood Parcel C: Suburban Neighborhood & Commercial Activity Area
South	Industrial Medium Density (I2)	Urban Village
West	Parcel A: Single-Family Agricultural (AG) Parcels B & C: Multifamily Medium-Density (MF2)	Parcels A & B: Urban Village Parcel C: Urban Village & Conservation / Open Space



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

B. Site History



Parcel A was developed with a single-family home in 1993 and is a part of Stonehenge subdivision. The entirety of Parcels B and C are vacant and have been vacant throughout their existence. The Unified Development Code (UDC) zoned Parcel A as Multi-Family (R14) and Parcels B and C as General Industrial (GI). Parcel A was rezoned in 2020 during the citywide rezoning from R14 to Single-Family Agricultural (AG), whereas Parcels B and C were rezoned from GI to Industrial Medium-Density (I2).

The department does not have any records related to land use applications pertaining to these parcels.

C. Proposed Development

The applicant is under contract for the parcels in question with the intent to construct 255 townhome units, 208 multi-family units and an 18.9-acre commercial shopping center within the confounds of the area as described in Section A. The applicant has proposed to rezone Parcel A from AG to Single-Family Attached (SFA) and Commercial Medium-Density (C2); and rezone Parcels B and C from I2 to SFA, C2 and MF2. Approximately 9.8 acres of the proposed development is proposed to be zoned MF2, and 32.98 acres is proposed to be rezoned SFA.

Of the commercial space proposed, a 60,000 sq. ft. grocer, 5,000 sq. ft. of retail space, and 10,000 sq. ft. of restaurant space is proposed within the anchor and shops parcel. Five outparcels are also shown on the plan that would be in addition to the above figures.

The townhomes are proposed to be 50' x 20' units with a 7.7 units per acre density. The applicant's site plan indicates at least two amenities will be installed (clubhouse and pool). The applicant has also submitted sample elevation drawings that indicate multiple townhome sizes ranging from 22' x 55' to a 30' wide unit.

The multi-family housing is proposed to be 21.2 units per acre with three (3) stories. The average square footage per unit is proposed to be 900, and at least 8,950 square feet will be dedicated to amenity space. The applicant has proposed at least one amenity on the site plan, which would consist of a fitness club. Each unit will have two (2) parking spaces.

A new boulevard connecting from Shoreline Parkway to Cleghorn Street and points beyond is a central feature of the development. The applicant has indicated that the project will commence in late 2022 and will be completed in 2023 upon approval.

See Table 2 below for yard and bulk requirements in the C2, MF2 and SFA Zones:

TABLE 2 - BULK REQUIREMENTS – C2 COMMERCIAL MEDIUM-DENSITY ZONE
--



	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	2.5	18.9	C
Minimum Lot Width (ft)	150	Unknown	Unknown
Minimum Front Yard Setback (ft)	25 (Mirror Lake Connector) 45 (Mirror Lake Boulevard)	Unknown	Unknown
Minimum Rear Yard Setback (ft)	45	Unknown	Unknown
Minimum Side Yard Setback (ft)	30	Unknown	Unknown
Maximum Building Coverage (%)	50	Unknown	Unknown
Maximum Building Height (ft)	60	Unknown	Unknown
Maximum Impervious Coverage (%)	80	Unknown	Unknown

TABLE 2 - BULK REQUIREMENTS – MF2 MULTIFAMILY MEDIUM-DENSITY ZONE

	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	5	9.8	C
Minimum Lot Width (ft)	150	Unknown	Unknown
Minimum Front Yard Setback (ft)	25 (Mirror Lake Connector) 45 (Mirror Lake Boulevard)	Unknown	Unknown
Minimum Rear Yard Setback (ft)	40	Unknown	Unknown
Minimum Side Yard Setback (ft)	40	Unknown	Unknown
Maximum Building Coverage (%)	75	Unknown	Unknown
Maximum Building Height (ft)	65	Unknown	Unknown
Maximum Impervious Coverage (%)	75	Unknown	Unknown
Minimum Heated Square Feet (sf)	950	900	NC

TABLE 2 - BULK REQUIREMENTS – SFA SINGLE-FAMILY ATTACHED ZONE

	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	1	32.98	C
Minimum Lot Width (ft)	100	Unknown	Unknown
Minimum Front Yard Setback (ft)	25 (Mirror Lake Connector) 45 (Mirror Lake Boulevard)	Unknown	Unknown
Minimum Rear Yard Setback (ft)	40	Unknown	Unknown
Minimum Side Yard Setback (ft)	40	Unknown	Unknown
Maximum Building Coverage (%)	40	Unknown	Unknown
Maximum Building Height (ft)	45	Unknown	Unknown
Maximum Impervious Coverage (%)	50	Unknown	Unknown
Minimum Heated Square Feet (sf)	1,040	1,000	NC

The development is proposed to have city sewer and water. All right-of-ways are required to be at least 50' in width.

Design Standards



The city has design standards for all multifamily and single-family attached units, as well as for commercial buildings in Section 9.03 and Section 9.04, respectively, of the Zoning Ordinance to which the applicant must comply at the time of architectural review.

Amenities/Open Space

The applicant has indicated at least two amenities for the townhomes and one amenity for the multi-family development. A total of three (3) amenities are required for the multi-family units and an additional three (3) amenities are required for the townhomes. The applicant will need to address the amenity requirements prior to approval of the Final Plat. The applicant has not indicated how much open space will be within the development. The ordinance requires a minimum of 5% open space for the commercial parcel, 12% for the townhome parcel and 15% for the multi-family parcel. The ordinance specifies what is considered non-qualifying open space and qualifying open space as specified below:

TABLE 8 – QUALIFYING AND NON-QUALIFYING OPEN SPACE	
<u>Non-Qualifying Open Space</u>	<u>Qualifying Open Space</u>
Required Private Yards	Conservation areas and wetlands preserved as conservation areas.
Street rights-of-way, open parking area and driveways for dwellings	Floodplains
Land covered by buildings	Woodlands
Required detention and retention ponds that are not visually or physically accessible.	Riparian Corridors
The floodway of any stream, regulated drain, river or other water body accessible.	Retention and detention facilities with the following characteristics: 1. Perimeter access. An easement of at least fifteen (15) feet from the top of bank with a minimum five (5) feet wide path of a material that meets the requirements of the ADA. 2. Access. An area of open space at least twenty (20) feet wide shall extend from a street right-of-way to the fifteen (15) foot perimeter access area of the detention area. 3. Planting. Native plant material is encouraged around the perimeter of retention ponds.



Any area with slopes exceeding a twenty-five percent (25%) grade.	Development amenity areas containing semi-public areas such as: 1. Plazas with seating and special features such as public art or fountains. 2. Pocket parks with seating and landscaping. 3. Decorative water features; and lakes.
Any wetlands on the development site, unless preserved as a conservation area.	

The city's ordinance permits for the following mix of amenities at the discretion of the developer for all SFA zoned properties, 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 ordinance permits the following mix of amenities for MF2 zoned properties:

- Swimming pool;
- Golf course or Putting green;
- Resident clubhouse;
- Pet park, minimum of two-thousand (2,000) square feet;
- Community center (meeting room, assembly hall, etc.);
- Community garden with raised beds;
- Rooftop terrace;
- Library/study
 - Computer resource center/internet café
 - Learning center/childcare
- Koi pond/water gardens;
- Nature trails Fitness center and/or recreation building;
- Pocket parks Basketball, volleyball, or other sport court;
- Other amenity approved by city. Two tot lots with a minimum size of five-hundred (500) square feet per lot;
- 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) grill/pit per area;

Offsite Improvements

Several off-site improvements are proposed along Mirror Lake Boulevard. The developer proposes



acceleration and deceleration lanes along with sidewalks on Mirror Lake Boulevard and the proposed Mirror Lake Connector. No other off-site improvements are indicated on the plat. The developer also proposes two stormwater management area onsite. A new access route (Mirror Lake Connector) from the downtown area is shown on the Site Plan with associated improvements, including a traffic circle and realignment.

Density

The applicant has proposed a gross density of 7.7 dwelling units per acre (du/acre) for the townhome section of the development and a density of 21.2 for the multifamily component based on the Site Plan submitted. As this development is located within the SFA and MF2 Zones, the maximum density permitted is 17.42 du/acre for the SFA Zone and 19.36 du/acre for the MF2 zone. The development meets the required density in the SFA Zone, but will require a variance to increase the density in the MF2 Zone as proposed.

Flood Plain

A stream (identified as Town Branch on FEMA maps) forms the western boundary of the project along the edges of Parcels B and C. Based on the Site Plan submitted, the applicant appears to abide by the state 25' non-disturbance buffer, but has not indicated the extent of the city's 50' or 75' buffer on the plan. Figure 2, below, indicates the flood zone map for the property:



National Flood Hazard Layer FIRMette



Legend

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

SPECIAL FLOOD HAZARD AREAS	Within Base Flood Elevation (BFE) Zone A, V, X, AE With BFE but Depth Zone AE, A, V, X, AE, or Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile, Zone X Future Conditions 1% Annual Chance Flood Hazard, Zone X Area with Reduced Flood Risk due to levee, See Notes, Zone X Area with Flood Risk due to levee, Zone X
OTHER AREAS	Area of Minimal Flood Hazard, Zone X Effective UVRs Area of Unclassified Flood Hazard, Zone X
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Boundary Channel Transition Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Channel Transition, Baseline Profile Baseline Hydrographic Features
MAP PANELS	Digital Data Available No Digital Data Available Unmapped

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

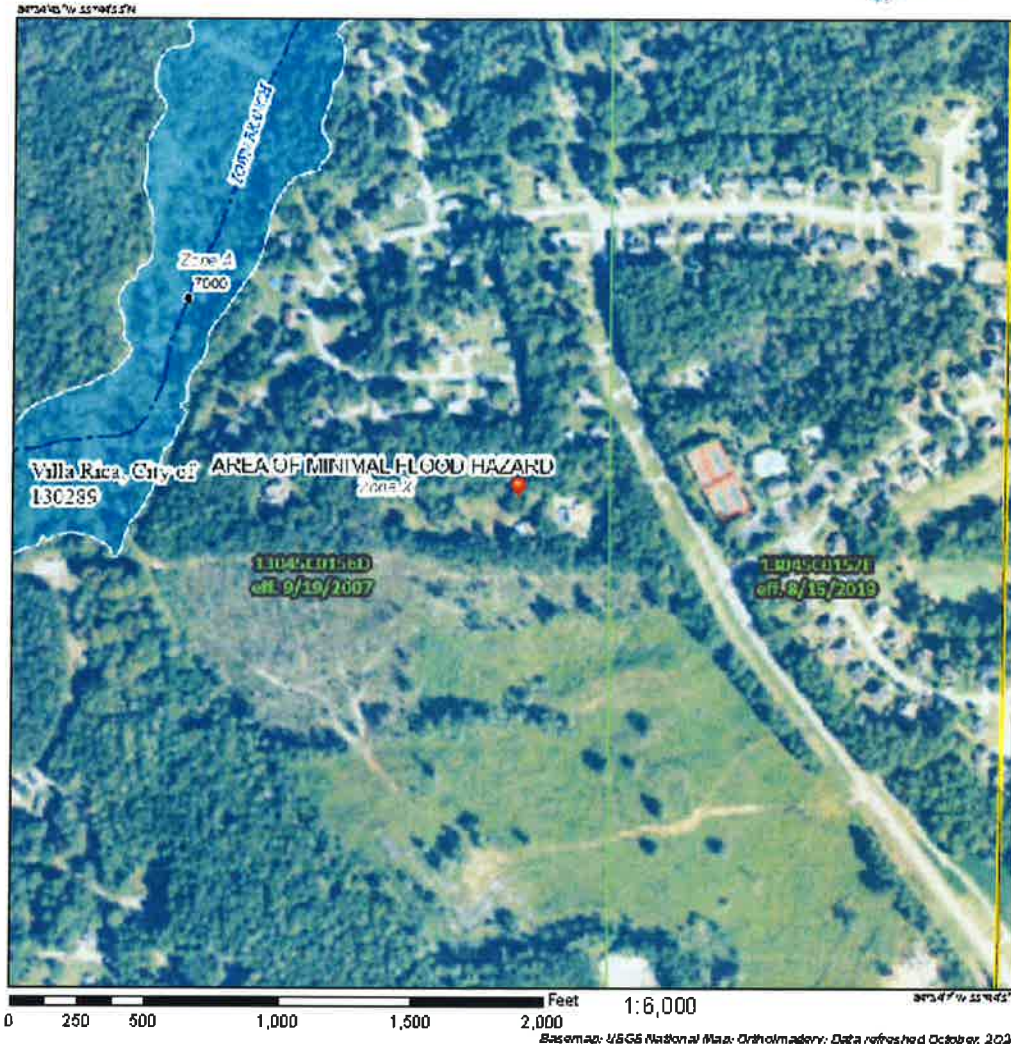


Figure 2: National Flood Hazard Layer FIRM Map 13045C0158D

Buffering/Screening/Tree Conservation:

A landscaping plan will be required to be submitted by the applicant at the time of Final Plat submittal. Section 7.05(7) of the zoning ordinance requires that a twenty (20) foot wide landscape area adjacent to the road or right-of-way be provided, and must be designated as “common area” or placed in a landscape easement. In addition, several shrubs and trees must be planted within this area. Trees are to be planted at a minimum rate of five (5) trees per one-hundred (100) linear feet of perimeter planting. Shrubs are to be provided at a minimum rate of ten (10) per one-hundred (100) linear feet of perimeter planting. Decorative perimeter fencing is also required within a common area adjacent to the right-of-way.

Based on Table 7.7: *Individual Residential Lot Landscape*, the SFA Zoning District has a



requirement that each townhome has a minimum of two trees each, and ten (10) shrubs. All 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

Additional landscape areas, such as surrounding retention ponds, street trees and other planting requirements will be enforced by the department as required, including the planting and buffering specified above.

D. 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 “Urban Village” as the future land use character area for the parcels. The intent of the Urban Village Character Area is as follows:

“Complement downtown area through establishing a development pattern characterized by a network of streets and paths suitable for both vehicles and pedestrians. Urban Village areas are characterized by moderate density residential development and neighborhoods. Urban Villages feature traditional neighborhood development with a focal point represented by neighborhood commercial development. This non-residential development is typically clustered around a prominent intersection in the neighborhood and can include neighborhood commercial services and retail options. Areas suitable for Urban Village development surround the downtown area and are an extension of compact, gridded development pattern of downtown. Typically, Community Crossroads are present, which provide an area suitable for small-scale commercial development (detached or attached structures) that serves the surrounding neighborhood, creating a “Village” character.”



The character area has design principles that recommend “moderate to high density (Up to 8 du/ac for single family development); Higher densities”.

Primary Future Land Uses:

- Detached single-family dwellings
- Attached single family dwellings where compatible with adjacent character; Two-family dwellings (duplex), and multi-family dwellings (apartments, townhouses, similar)
- Clustered neighborhood commercial/Small-scale mixed use (restaurants, retail, single offices)
- Civic benefit uses such as community centers, libraries, places of worship and schools
- Parks, greenways, trails

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

TABLE 3 - APPROPRIATE ZONING CATEGORIES – SUBURBAN VILLAGE	
<u>UDC Zoning Categories</u>	<u>Corresponding 2020 Zoning Ordinance Category</u>
Single Family (R20)	Single-Family Suburban (R1) Single-Family Urban (R2)
Multi-Family (R-14)	Multi-Family Low-Density (MF1)
Residential Townhome (RT)	Single-Family Attached (SFA)
Planned Development (PD)	Planned Unit Development (PUD)
Neighborhood Commercial (NC)	Commercial Low-Density (C1)
Office-Institutional	Office Medical Institutional (OMI)

The proposed development appears to meet the intents of the Urban Village Character Area in the Comprehensive Plan.

- ii. **Current conditions and the character of current structures and uses in each district;** Parcels B and C are vacant with no uses or structures. Parcel A features a single-family home constructed in 1993. The character of the I2 zone is typical of a larger industrial use, whereas an AG zoned lot typically features single-family homes on larger lots or vacant land. The character of the MF2 zone is typical of a multifamily development typically consisting of apartments or condominiums. The C2 Zone typically features commercial and



restaurant uses. The SFA Zone typically consists of townhomes. The uses to the north and east are single-family in nature and are located within existing neighborhoods. The area to the south is industrial in nature, whereas the area to the west is currently vacant and feature a city park and office. This area to the west is projected to complement the proposed development with higher density and apartment uses. That project (Arbour Valley) is expected to be cohesive with the proposed development.

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

The proposed development is a desirable use based on the Comprehensive Plan and overall character of the area. The current use of the properties as vacant (Parcels B and C) and a single-family home (Parcel A) are not the highest and best uses for the properties given the acreage and the density recommendations stated in the Comprehensive Plan, as well as the density and commercial capacity in the surrounding areas, street pattern and access to major roadways.

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

Property values are expected to be increased by the new housing stock and commercial components, and would further reduce the number of vacant parcels in the city should the rezoning and development of the lot materialize.

v. Responsible development and growth

The rezoning would be in-kind with similar developments nearby as well as proposed developments. The eastern sections of the city, particularly within Douglas County, are experiencing rapid growth within and surrounding the Mirror Lake community. The commercial uses will primarily service this general area and there is a need for more commercial space nearby. The townhomes and apartments would add to the existing pool of proposed projects within the city that continues to expand our diversity of housing opportunities for all ages and incomes. The road network in the area provides access to I-20 via Mirror Lake Boulevard and Downtown via the new Mirror Lake Connector. The connector will be designed for pedestrians, vehicles and golf carts.

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 rezoning will permit a variety of commercial uses that are permitted within the C2 Zone along with townhomes and apartments that would supplement other multifamily pressures on the eastern side of the city. The only other apartment complex within this vicinity is Hawthorne at Mirror Lake, which is approximately a half mile from the intersection of Mirror Lake Boulevard and Conners Road. This proposal appears to address this lack of multi-family and townhome construction in this general area.



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

The use is not expected to affect the existing uses nearby or usability of any adjacent structures or lots. The use is consistent with the density of Arbour Valley to the west and would complement the downtown area and the Mirror Lake Boulevard area with new construction residential and expanded shopping opportunities.

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

The property does have a reasonable economic use as currently zoned, however it is not the highest and best use of land given the acreage and Comprehensive Plan designations for appropriate zoning, which would allow for higher density and/or intensity. Because of the size and location of the parcel, along with development pressures along the Mirror Lake Boulevard corridor, the rezoning to SFA, C2 and MF2 would provide more economic activity and viability to the land and surrounding area.

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. Potential traffic impacts along Mirror Lake Connector and Mirror Lake Boulevard must be studied and reviewed by the City Engineer as a part of final plat approval.

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 Urban Village as the land use character areas, which recommend higher density within the areas between Downtown and Mirror Lake Boulevard. This is consistent with the requested zone change from AG and I2 to MF2, SFA and C2.

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.

This area of the city is undergoing a transformation, which includes a new traffic circle at Dallas Highway and Punkintown Road; the resumption of large-scale residential single-family detached housing in Mirror Lake, and the planning and engineering for the Mirror Lake Connector Road. These changing conditions warrant additional development that will capitalize off of these infrastructure improvements and make these projects viable.

E. Comments

1. 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.

2. 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.
3. A Landscape Plan, Open Space Plan and other details, as required, should be submitted to the City Engineer for review prior to Final Plat approval.
4. The applicant's proposal appears to indicate higher density for the apartments within the MF2 Zone than what the zone permits. The applicant should provide testimony on the density for the development. The developer will be required to apply for a variance or reduce the density prior to approval of the Final Site Plan and is NOT required at to be executed at this time.
5. The average square footage of the townhome units and the multifamily units is under the amount required in the MF2 and SFA zones. The developer will be required to apply for a variance or increase the size of the units prior to approval of the Final Site Plan and is NOT required at to be executed at this time.
6. The elevation drawings submitted for the townhomes feature dimensions that are different than the dimensions indicated on the site plan. The applicant shall provide testimony on the dimensions of townhome units.

Recommendation:

Staff recommendation: **APPROVAL**

Reasons: The requested zoning would permit uses that are consistent with the surrounding area and would provide further growth along the Mirror Lake Boulevard corridor. The proposal is the highest and best use for the land from a planning perspective.

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 September 30th, 2021; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

In response to the public notifications, no residents have contacted the city to voice concern or support for the proposed actions.

Should you have any questions concerning the above comments please do not hesitate to contact me. I reserve the right to make additional comments based upon further review or submission of



Fuqua Acquisitions II, LLC – Mirror Lake Boulevard
RA-08-21 and RA-09-21
October 5th, 2021
Page 15 of 17

revised plans or new information.

Very truly yours,

Ronald Johnson

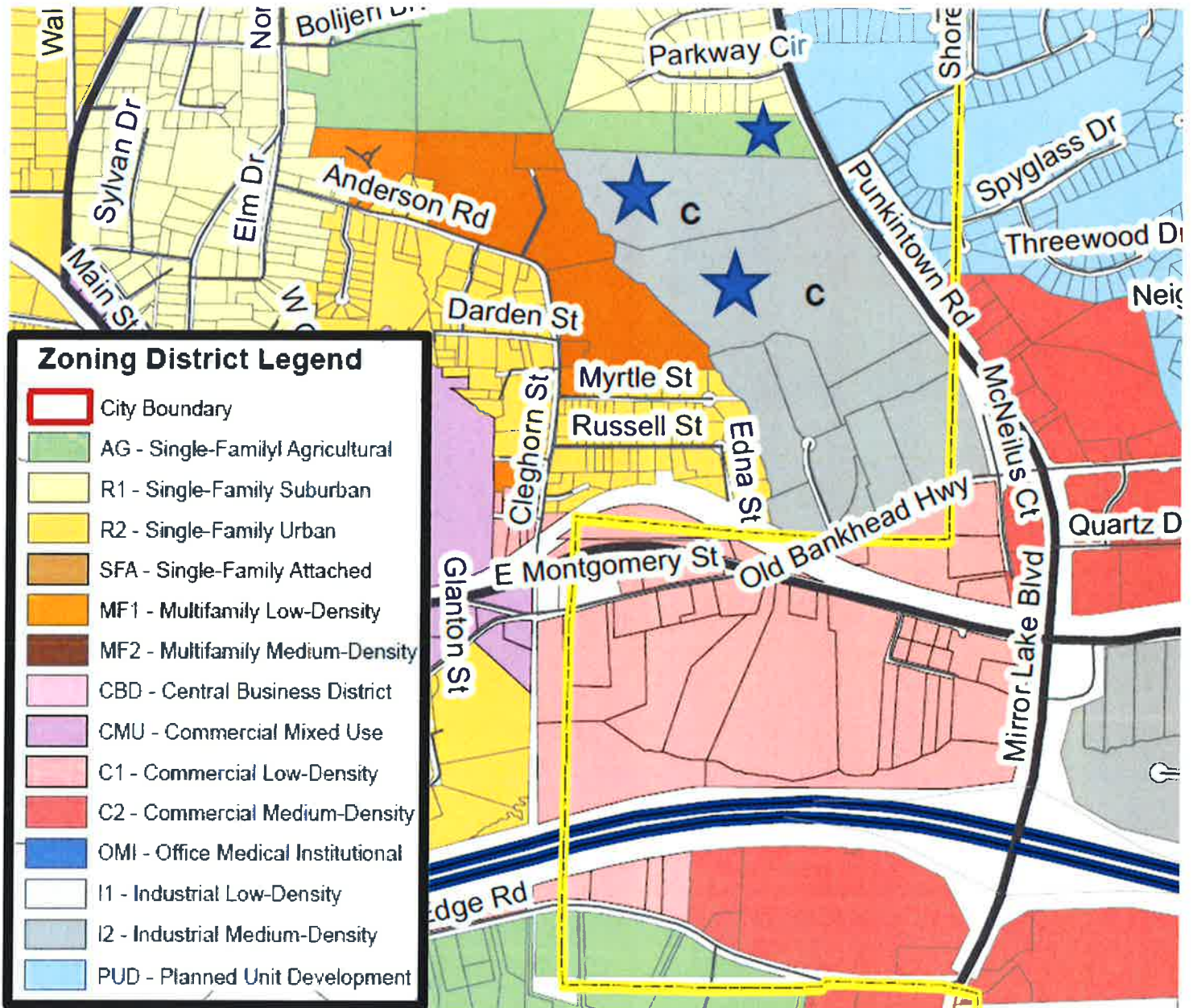
Planning & Zoning Specialist

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



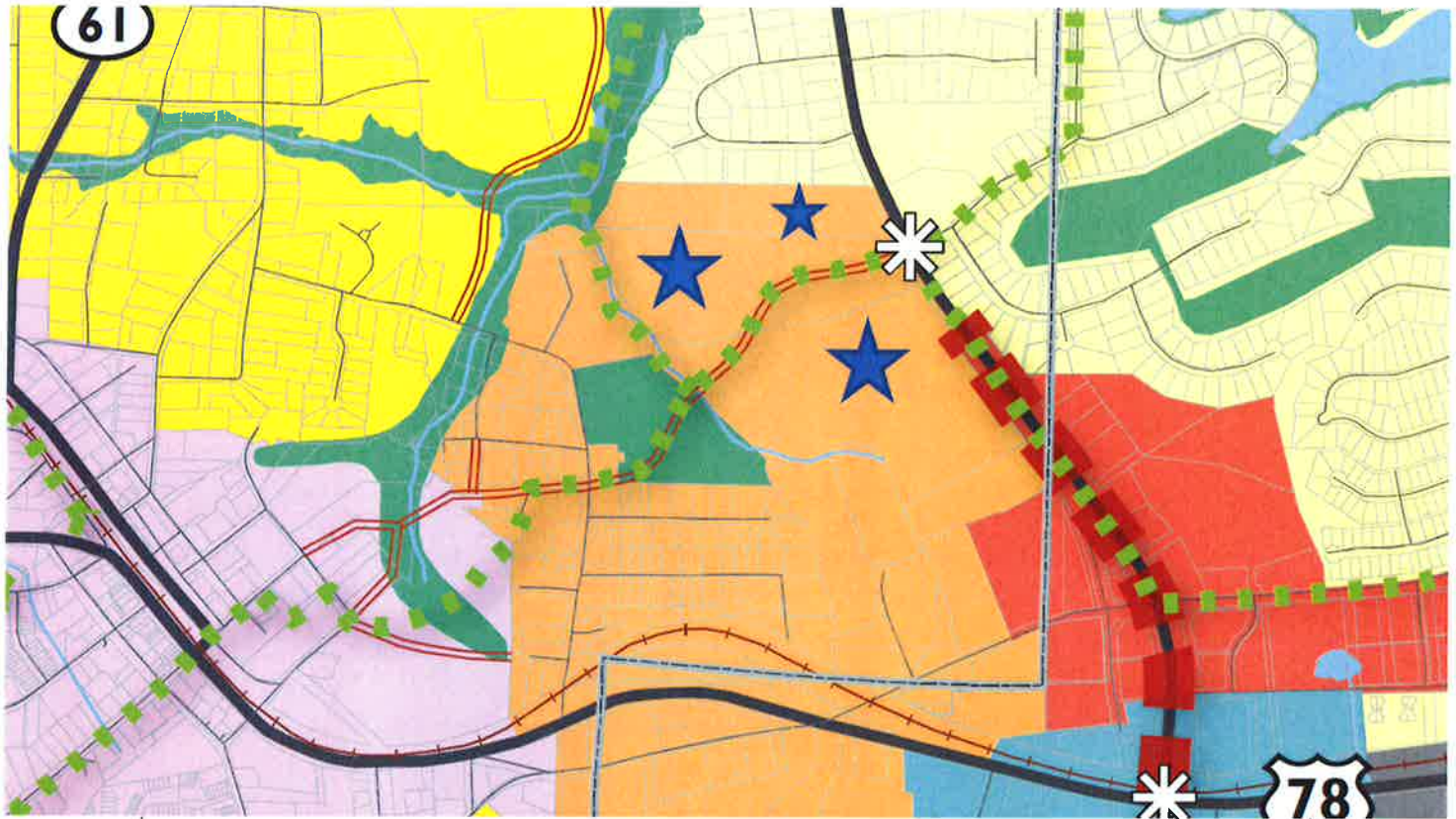
Corresponding Maps:

Villa Rica Zoning Map:





Villa Rica Future Land Use 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





APPLICATION TO REZONE PROPERTY

**Located in Villa Rica, GA
Mirror Lake Boulevard at Shoreline Parkway**

**Submitted By:
Fuqua Development, LP
3575 Piedmont Rd. NE, Suite 800
Atlanta, GA 30305**



Table of Contents

Zoning Map Amendment Application

Owners Affidavit

Written Statement

Conceptual Site Development Plan

Conceptual Architectural Theme/Material Exhibits



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: September 13, 2021

APPLICANT

Applicant Name: Fuqua Acquisitions II, LLC

Address: 3575 Piedmont Rd., NE Ste 800 City: Atlanta State: GA Zip Code: 30305

Phone: 404-907-1709 Fax: _____ Email: Jeff.Fuqua@fuquadev.com

Agent Name: Jeff Fuqua

Address: 3575 Piedmont Rd., NE Ste 800 City: Atlanta State: GA Zip Code: 30305

Phone: 404-907-1709 Fax: _____ Email: Jeff.Fuqua@Fuquadev.com

Owner Name (If different from applicant): David R. Schoerner and DMS Columbia Dr. ,LLC d|b|a Schoerner Enterprises, Joint Venture Address: 125 Wind Song Court City: Carrollton State: GA Zip Code: 30117

Phone: 404-583-1183 Fax: _____ Email: drs1850@aol.com

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: Industrial Low Density (I1)

Requested Zoning: _____

C2-Medium Density Commercial
SFA - Single Family Attached
MF2 - Medium Density Multi-Family

Property Address: Tax Parcels V05_0180085,V05_0180062 City: Villa Rica State: GA Zip Code: 30180

Nearest Intersection: Mirror Lake Blvd & Shoreline Parkway

Present Use of Property: Undeveloped Land

Proposed Use: General Commercial, Retail, Grocery, Multi Family and Townhomes

Size of Tract 55 Acres Land Lot Numbers: 176 Districts: 2nd District

Gross Density: SFA 17.4 units/acre MF2 19.36 units/acre Net Density _____ Unit(s) Per Acre

Property Tax Parcel Number: V05-0180085, V05-0180062



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.

- X 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.
- X 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).
- X 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.
- N/A 4. Additional exhibits, as may be required by the Community Development Director.

We certify that the foregoing information is true and correct, this 13th day of September, 2021.

Jeff Fuqua, President - Fuqua Acquisitions II, LLC
Applicant's Name – Printed

Signature of Applicant

SIGN HERE

Applicant's Attorney (If applicable) – Printed

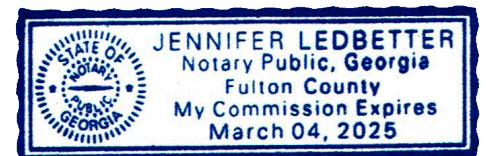
Signature of Applicant's Attorney (If applicable)

Sworn to and subscribed before me this 13th day of September

2021

Jennifer Ledbetter
Notary Public

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

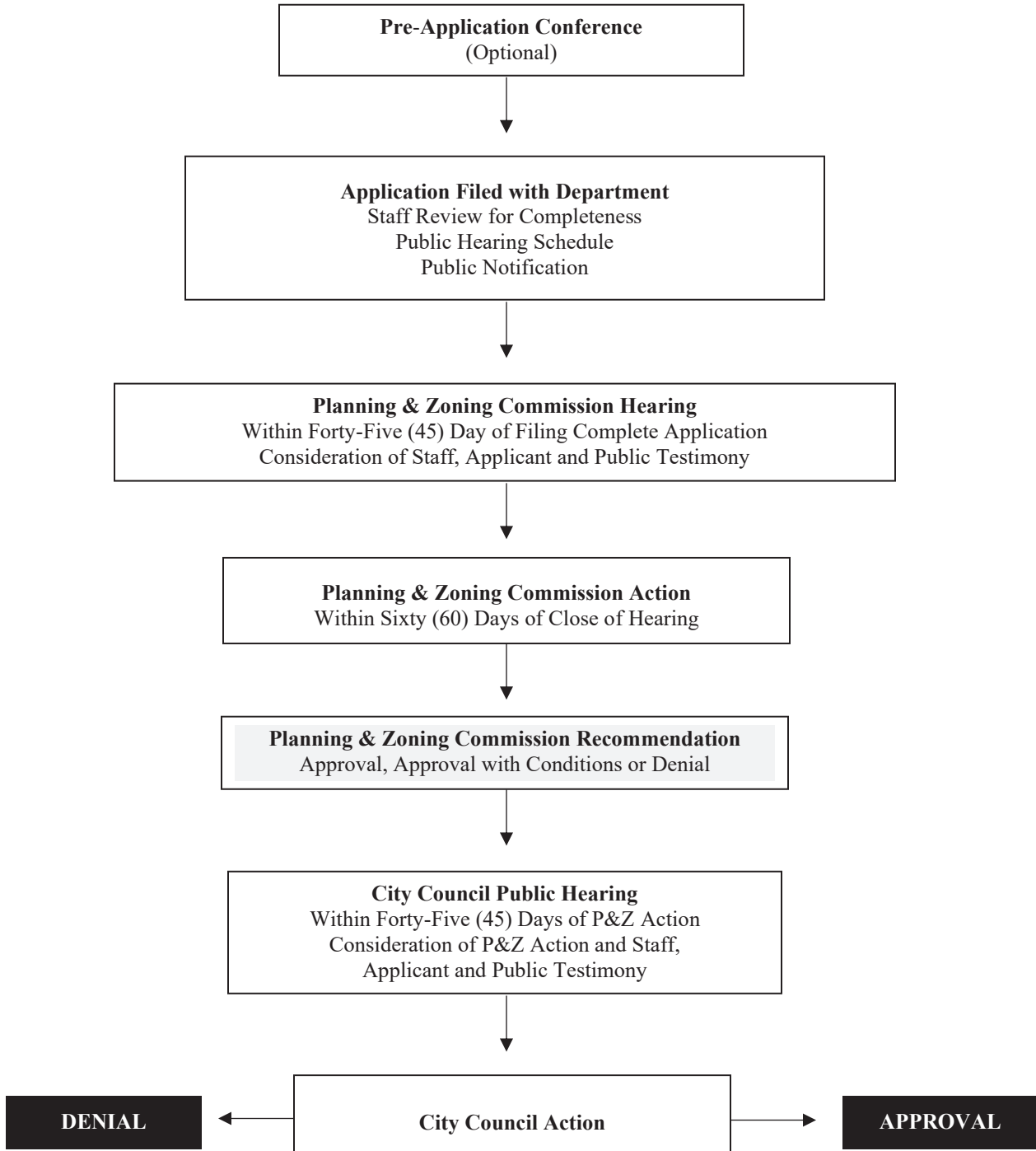




Case # _____

REZONING APPLICATION REVIEW

PROCESS





THE CITY OF VILLA RICA

CONTACT US

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

AUTHORIZATION OF PROPERTY OWNERS

Name of owner(s) DAVID R. SCHOERNER AND DMS COLUMBIA DR., LLC
d/b/a SCHOERNER ENTERPRISES, JOINT VENTURE

Address 125 WIND SONG COURT
CARROLLTON, GEORGIA 30117

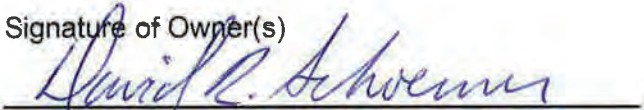
Phone Number 404-583-1183

Name of applicant(s) FUQUA ACQUISITIONS II, LLC

Address FIFTEEN PIEDMONT CENTER
3575 PIEDMONT RD, NE SUITE 800, ATLANTA, GA 30305

Phone Number 404-907-1709

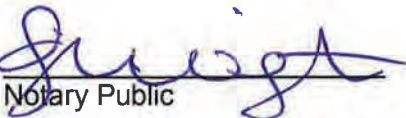
I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s) 
DAVID R. SCHOERNER, JOINT VENTURE MANAGING MEMBER

Personally appeared before me

David Roger Schoerner

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


Notary Public

9-7-21
Date



Layers Map

- Layer List Legend
- Quick Links:
- [Search Records](#)
 - [View Map](#)

Layers:

- ☒ Parcels
 - ☐ Address Numbers
 - ☐ Zip Code
 - ☐ City Boundary
 - ☐ Information Point
 - ☐ Parcel Numbers
 - ☐ District
 - ☐ Land Lot
 - ☐ Yearly Sales
 - ☒ Roads
 - ☐ USA Major Highways
 - ☐ Railroads
 - ☐ City Labels
 - ☐ Subdivisions
 - ☒ Streams and Rivers
 - ☐ Streams and Rivers (Small)
 - ☐ Streams and Rivers (Large)
 - ☐ Lakes
 - ☐ Flood Map
 - ☐ Parcel Splits
 - ☐ State Outlines
 - ☒ 2017 Aerial Photos
 - ☐ 2016 Aerial Photos
 - ☐ 2013 Aerial Photos
 - ☐ Google Imagery
- Restore Layer Defaults



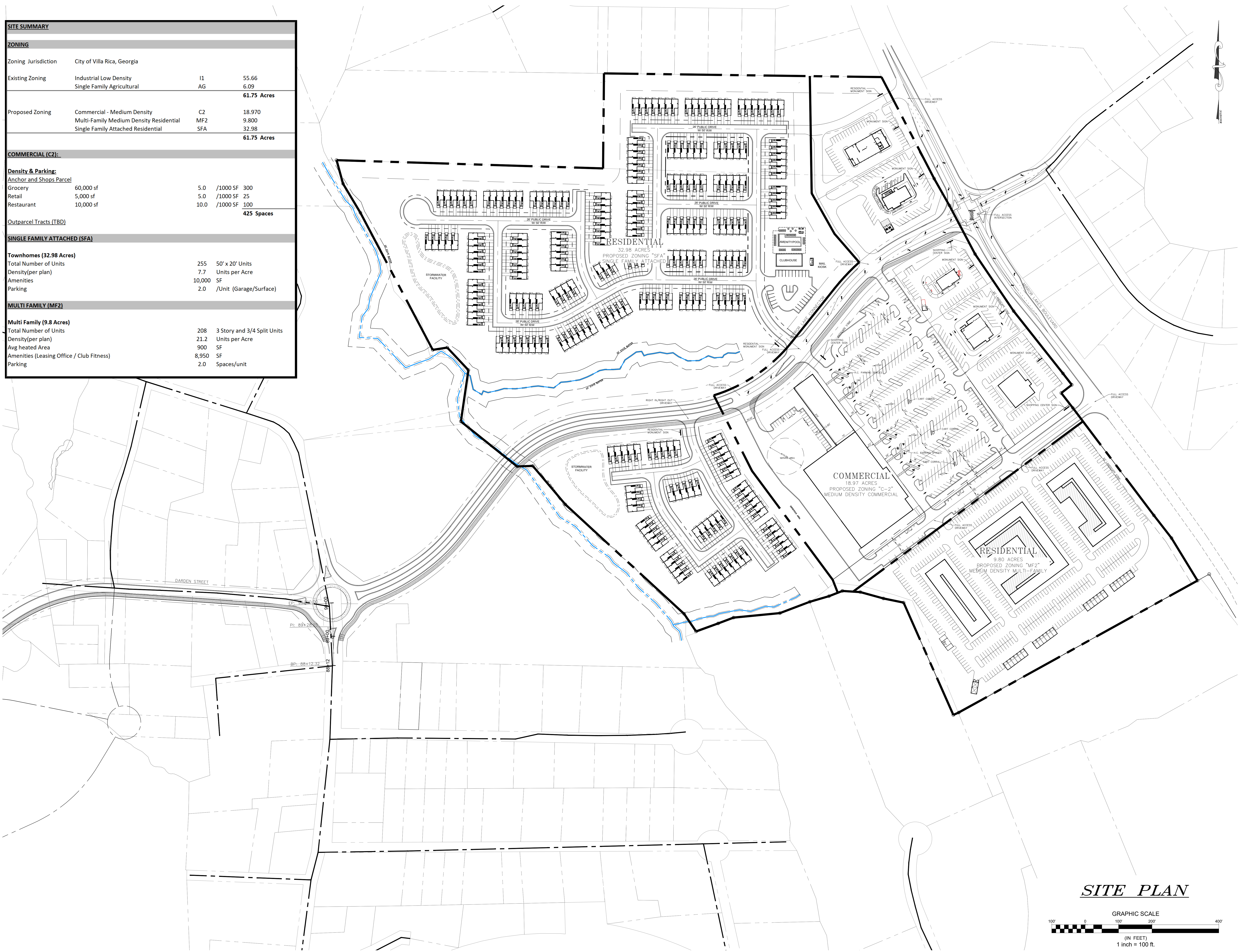
Parcel ID: V05 0180085
Class Code: Industrial
Taxing District: VILLA RICA
Acres: 34

Owner: SCHOERNER DAVID & DMS COLUMBIA LLC
DBA SCHOERNER ENTERPRISES
125 WINDSONG CT
CARROLLTON, GA 30117
Physical Address: MIRROR LAKE BLVD
Assessed Value: Value \$300000

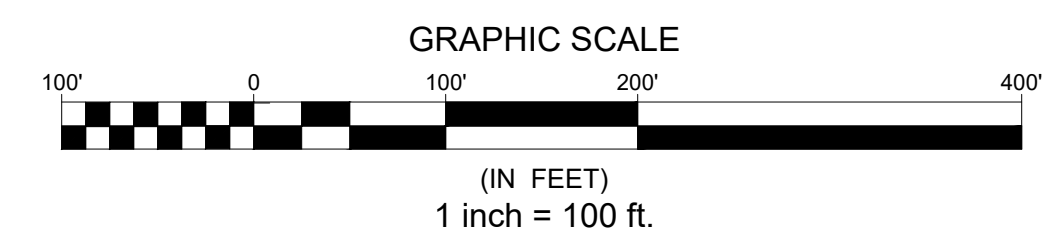
Last 2 Sales
Date: 12/31/2010
Price: 0
Reason: U
Qual: n/a

- Results:
- Parcel ID: V05 0180085
Alt ID: 522195
Address: MIRROR LAKE BLVD
Owner: SCHOERNER DAVID & DMS COLUMBIA LLC
DBA SCHOERNER ENTERPRISES
Acres: 34
View Report | Field Definitions
 - Parcel ID: V05 0180062
Alt ID: 30758
Address: MIRROR LAKE BLVD
Owner: SCHOERNER DAVID & DMS COLUMBIA LLC
DBA SCHOERNER ENTERPRISES
Acres: 20
View Report | Field Definitions

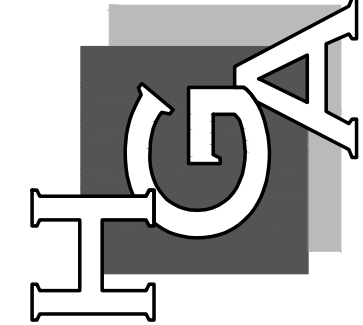
SITE SUMMARY			
ZONING			
Zoning	Jurisdiction	City of Villa Rica, Georgia	
Existing Zoning	Industrial Low Density	I1	55.66
	Single Family Agricultural	AG	6.09
			61.75 Acres
Proposed Zoning	Commercial - Medium Density	C2	18.970
	Multi-Family Medium Density Residential	MF2	9.800
	Single Family Attached Residential	SFA	32.98
			61.75 Acres
COMMERCIAL (C2):			
Density & Parking:			
<u>Anchor and Shops Parcel</u>			
Grocery	60,000 sf	5.0	/1000 SF 300
Retail	5,000 sf	5.0	/1000 SF 25
Restaurant	10,000 sf	10.0	/1000 SF 100
			425 Spaces
<u>Outparcel Tracts (TBD)</u>			
SINGLE FAMILY ATTACHED (SFA)			
Townhomes (32.98 Acres)			
Total Number of Units		255	50' x 20' Units
Density(per plan)		7.7	Units per Acre
Amenities		10,000	SF
Parking		2.0	/Unit (Garage/Surface)
MULTI FAMILY (MF2)			
Multi Family (9.8 Acres)			
Total Number of Units		208	3 Story and 3/4 Split Units
Density(per plan)		21.2	Units per Acre
Avg heated Area		900	SF
Amenities (Leasing Office / Club Fitness)		8,950	SF
Parking		2.0	Spaces/unit



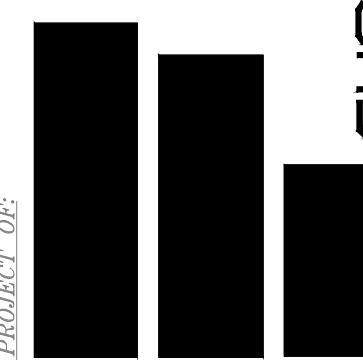
SITE PLAN



HAINES GIPSON & ASSOCIATES
CONSULTING ENGINEERS
CIVIL & STRUCTURAL SERVICES
1550 NORTH BROWN ROAD, SUITE 100
LAWRENCEVILLE, GEORGIA 30043
PHONE: (770) 491-7550
FAX: (770) 491-7750



SEAL



Villa Rica
MIRROR LAKES
CAROLTON, GEORGIA

CARROLTON, GEORGIA

[illegible]

<u>DRAWN BY</u>	<u>CHECKED</u>
SCA	SCA

DATE
9/07/2021

SHEET TITLE
*CONCEPTUAL
SITE PLAN*

SHEET NUMBER

SP-17z

Villa Rica

CARROLL COUNTY, GEORGIA

Written Statement
September 13, 2021

1. PROJECT OVERVIEW

This application is being filed on behalf of the property owners Schoerner (V05 0180062, V05 0180085) and Condon (V05 0180075) located on Mirror Lake Blvd across from Shoreline Parkway. The proposed rezoning will change the current zoning from Industrial Low Density(I1) and Single Family Agricultural (AG) to Single Family Attached Residential (SFA), Multi-Family Medium-Density Residential (MF2) and Commercial Medium Density (C2) according to the Site Development Plan provided. The zoning change will allow a new multi-use development and create new vehicle and pedestrian connectivity for Villa Rica residents. The uniqueness of the development may require variances to the zoning. For instance, the parking standards for commercial parking are below what is typically provided and some flexibility is requested as indicated on the plan. Attached on the following pages are “Conceptual Architectural Theme” drawings that depict potential general design themes and materials that are being considered for use on the project.

Pursuant to Villa Rica Code of Ordinances Appendix B Ch. XI Sec. 11.05, if the project is does not move forward as proposed the City of Villa Rica will initiate a process to revert the zoning to the original zoning through a zoning map amendment.

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;

The new development will include both retail and residential which are consistent with adjacent and nearby properties. Surrounding uses include single family detached subdivisions, light industrial and medium density retail. No detrimental effects are anticipated on the surrounding areas. The proposed residential developments will provide new homes with walkable access to restaurants and services. Applicant will facilitate future ROW dedication for the proposed Mirror Lake Connector (and associated cart path).

b. Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan

The proposed zoning map amendment is consistent with the intent of the code and the Comprehensive Plan. As specified, the future land use for this site is “Urban Village”. Urban Village is described as “moderate density residential and neighborhoods” and a “traditional neighborhood with a focal point represented by neighborhood commercial development”. The proposed development includes new residential neighborhoods and a commercial hub with grocery, retail and restaurants that are pedestrian accessible.

c. The areas which are most likely to be directly affected by such change and the likely effects.

The project will bring greater desirability to the area, generate additional tax revenues and increase property values. As stated, there are no negative impacts expected in the area as a result of the project. Buffers are planned between commercial and residential to separate uses. Stormwater protection regulations will be followed throughout the life of the project.

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

The proposed development supports Villa Rica's continued population growth by offering new housing, conveniences and services. The energy of the proposed development will draw residents of Mirror Lake Neighborhood westward toward downtown and vice versa creating opportunities and conveniences not currently available.

e. The proposed time schedule and phasing for development;

The development is projected to start in late 2022 and complete in late 2024.

f. The source/method for providing utility/infrastructure services to the property;

Water and sewer will be public and provided by the City of Villa Rica. No offsite infrastructure upgrades are anticipated at this time. The new Mirror Lake Connector and ROW will be public.

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;

The project will facilitate ROW dedication for construction of a section of the Mirror Lake Connector to Cleghorn Street. There are 2 new full access drives shown on Mirror Lake Blvd/Punkintown Road and 3 full access drives on the new Mirror Lake Connector. All internal roads and interparcel access drives are part of the overall development.

h. A list of any state, federal or other public agencies' approvals or permits required for the proposed development.

The project will be submitted to City of Villa Rica for land disturbance and building permits.



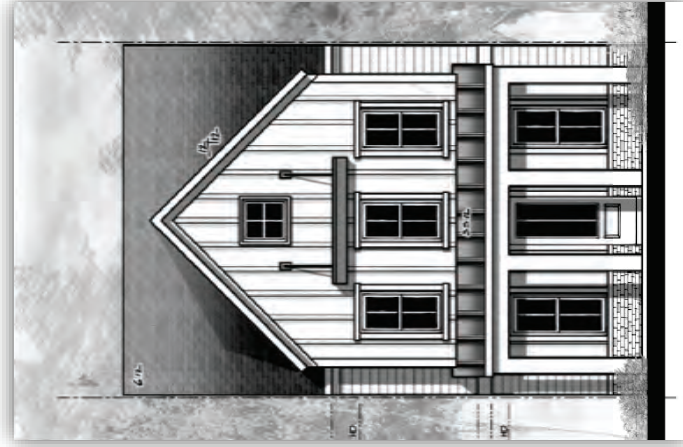
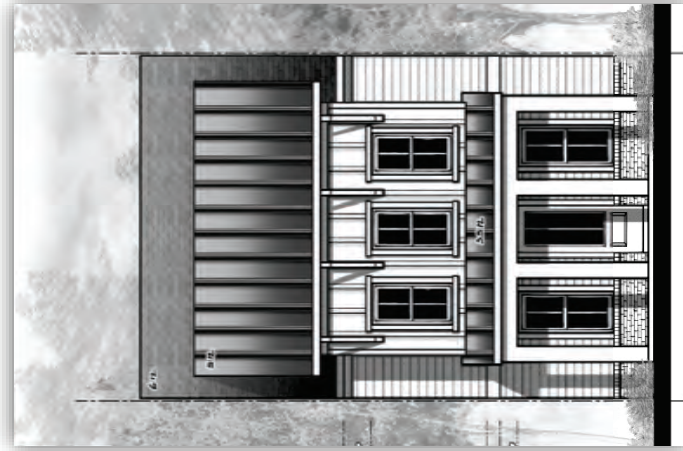
PINEGROVE
COMMUNITIES

Typical Townhome Product

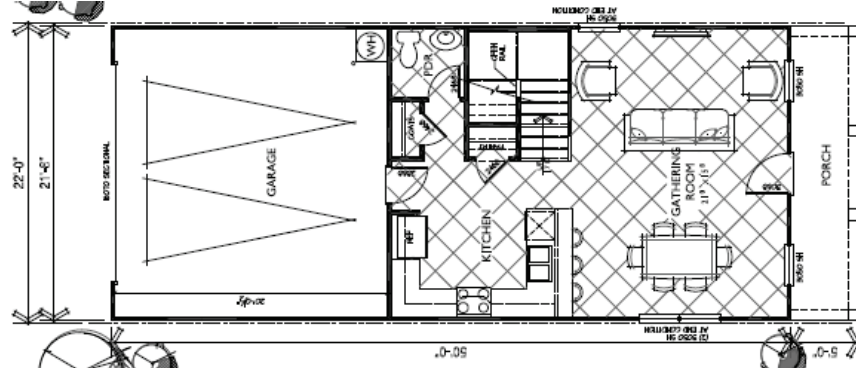
Rear Entry Unit Elevation
22' x 55' – 1,650 SF



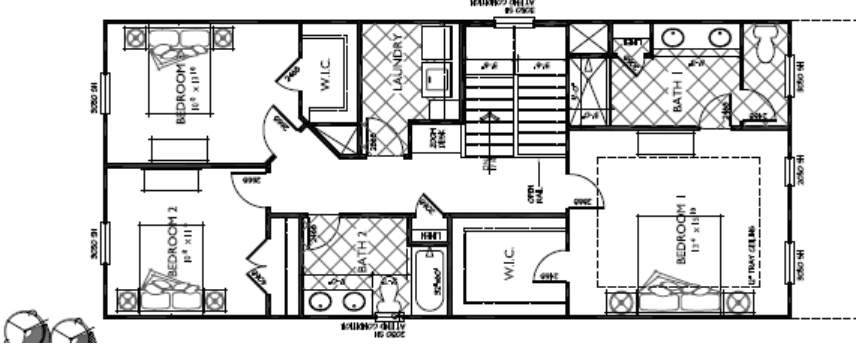
Rear Entry Unit Elevation 2
22' x 55' – 1,650 SF



Rear Entry Unit Floorplan 22' x 55' – 1,650 SF



First Floor

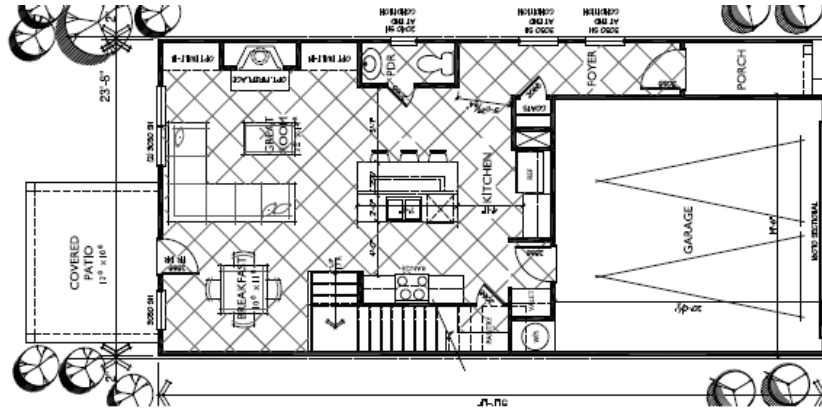


Second Floor

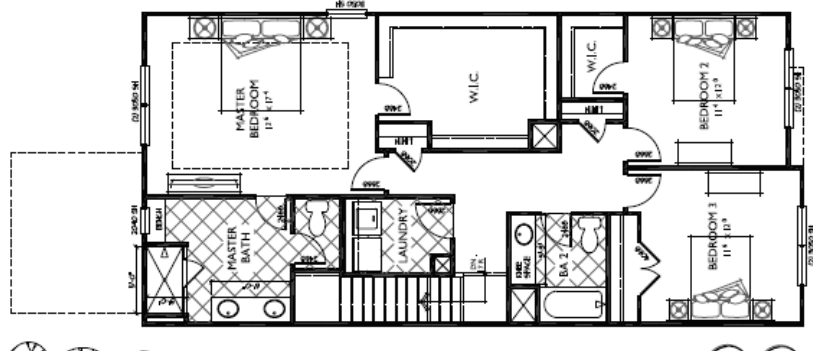
Front Entry Unit Elevation
24' x 50' – 1,850 SF



Front Entry Unit Floorplan 24' x 50' - 1,850 SF



First Floor



Second Floor

Rear Entry Unit Elevation
26' x 50' – 1,950 SF

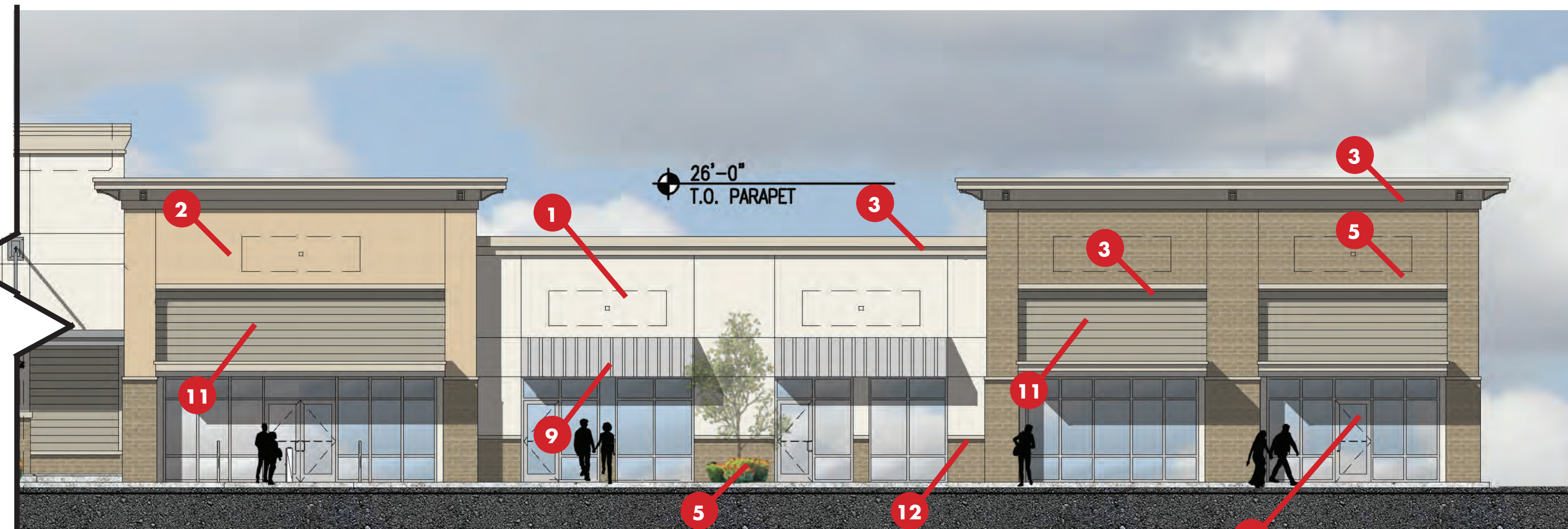
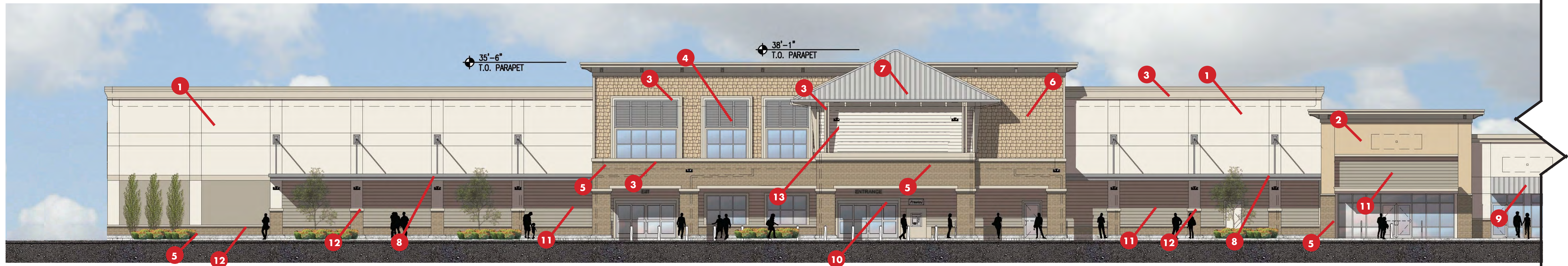


Rear Entry Unit Elevation
30' wide end-unit



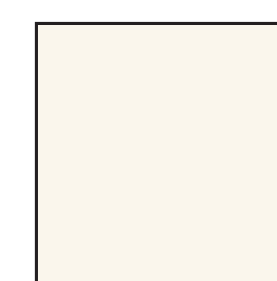
Rear Entry Unit Elevations
5-plex Composite (26' & 30')





FRONT RETAIL ELEVATION

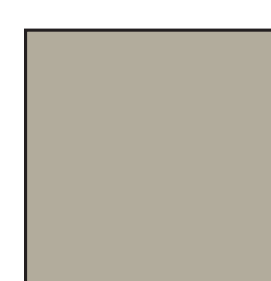
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- 2 Painted Stucco Sherwin Williams SW6120 Believable Buff
- 3 Painted EIFS Sherwin Williams SW7638 Grecian Ivory
- 4 Decorative EIFS "Bahama Shutter" to match SW7664 Steely Gray
- 5 Brick Veneer Acme, Silverado
- 6 Fiber Cementitious Shingle Board Siding to match SW 6120 Believable Buff
- 7 Standing Seam Metal Roof to match Berridge "Zinc Cote"
- 8 Prefinished Aluminum Canopy to match SW7664 Steely Gray
- 9 Aluminum Canopy to match Berridge "Zinc Cote"
- 10 Storefront Clear Anodized Aluminum
- 11 Fiber Cementitious Lap Siding to match Sherman Williams SW7644 Gateway Gray
- 12 4" Bull Nose Pre Cast Concrete Cap
- 13 Fiber Cementitious Lap Siding to match Sherman Williams SW7551 Greek Villa



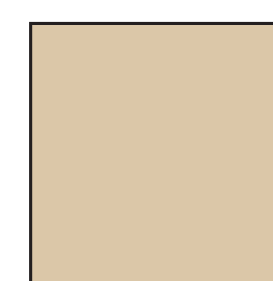
PAINT
SW 7551
GREEK VILLA



PAINT
SW 7638
GRECIAN
IVORY



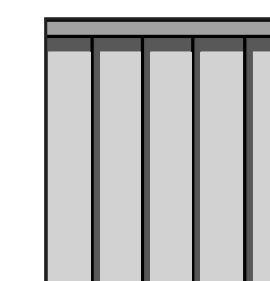
PAINT
SW 7644
GATEWAY
GRAY



PAINT
SW 6120
BELIEVABLE BUFF



BRICK
ACME BRICK
SILVERADO



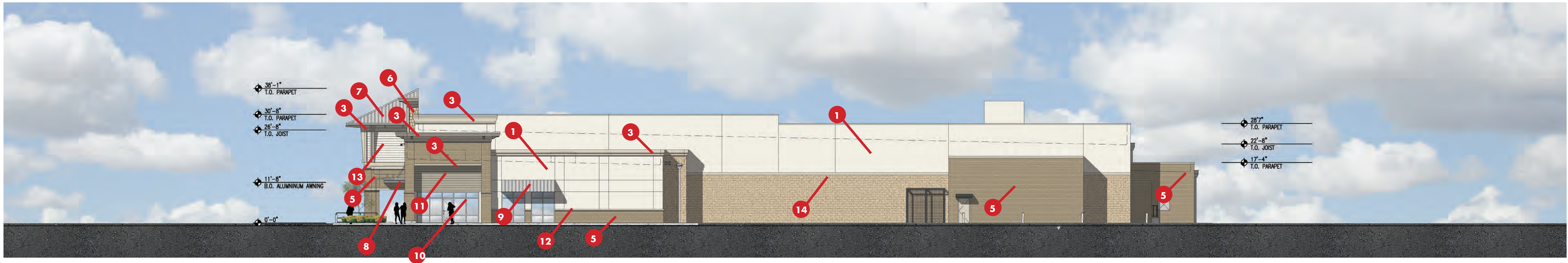
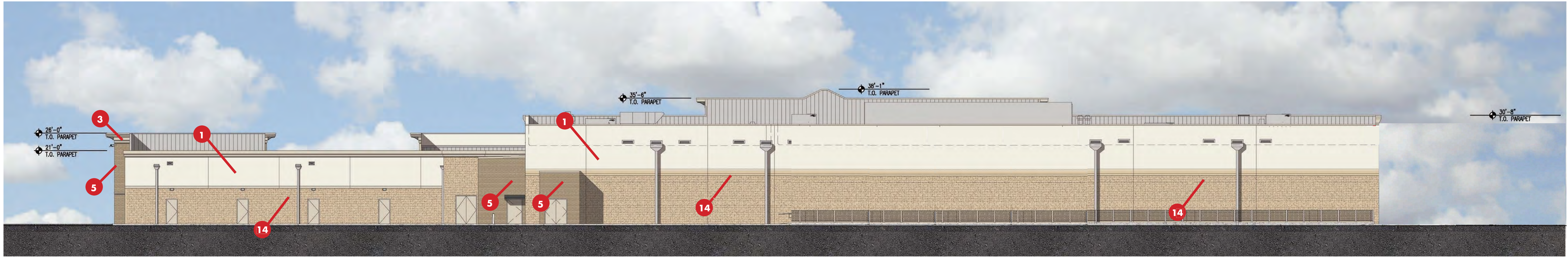
METAL ROOF
ZINC-COTE
STANDING SEAM
METAL ROOF



METAL
SW 7069
IRON ORE
RAILING /
DECORATIVE
ALUM. TUBE



SPLITFACE BLOCK
SW 6120
BELIEVABLE BUFF
SPLITFACE BLOCK



1 Painted Stucco Sherwin Williams SW7551 Greek Villa

2 Painted Stucco Sherwin Williams SW6120 Believable Buff

3 Painted EIFS Sherwin Williams SW7638 Grecian Ivory

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7 Standing Seam Metal Roof to match Berridge "Zinc Cote"

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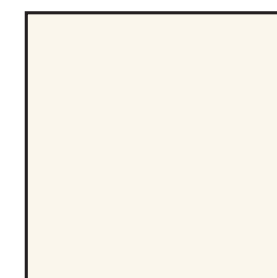
10 Storefront Clear Anodized Aluminum

11 Fiber Cementitious Lap Siding to match Sherman Williams SW7644 Gateway Gray

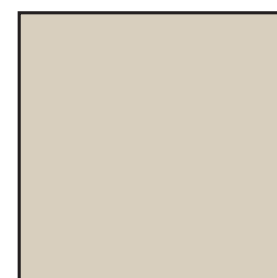
12 4" Bull Nose Pre Cast Concrete Cap

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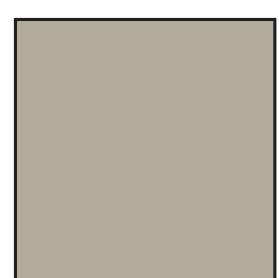
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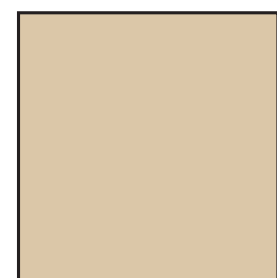
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SW 7551
GREEK VILLA



PAINT
SW 7638
GRECIAN
IVORY



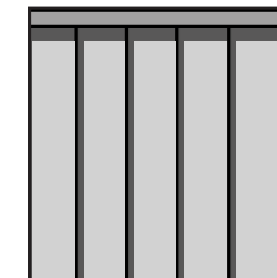
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SW 7644
GATEWAY
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PAINT
SW 6120
BELIEVABLE BUFF



BRICK
ACME BRICK
SILVERADO



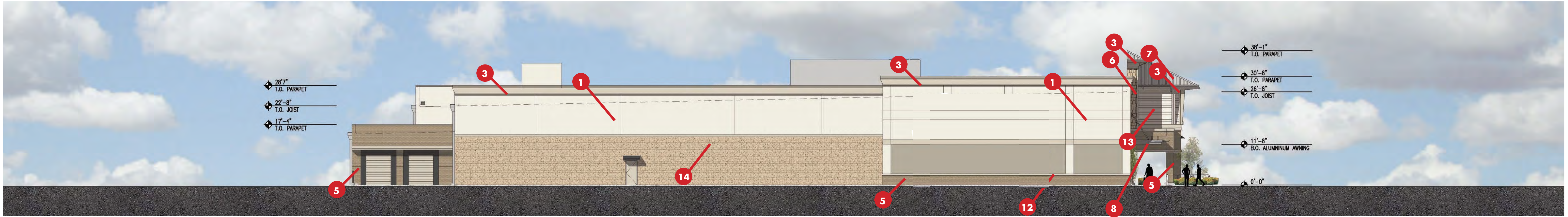
METAL ROOF
ZINC-COTE
STANDING SEAM
METAL ROOF



METAL
SW 7069
IRON ORE
RAILING /
DECORATIVE
ALUM. TUBE



SPLITFACE BLOCK
SW 6120
BELIEVABLE BUFF
SPLITFACE BLOCK



- 1

Painted Stucco Sherwin Williams SW7551 Greek Villa
- 2

Painted Stucco Sherwin Williams SW6120 Believable Buff
- 3

Painted EIFS Sherwin Williams SW7638 Grecian Ivory
- 4

Decorative EIFS "Bahama Shutter" to match SW7664 Steely Gray
- 5

Brick Veneer Acme, Silverado
- 6

Fiber Cementitious Shingle Board Siding to match SW 6120 Believable Buff
- 7

Standing Seam Metal Roof to match Berridge "Zinc Cote"
- 8

Prefinished Aluminum Canopy to match SW7664 Steely Gray
- 9

Aluminum Canopy to match Berridge "Zinc Cote"
- 10

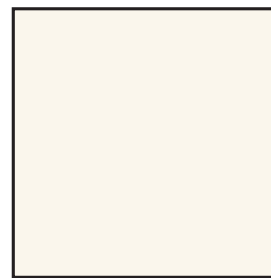
Storefront Clear Anodized Aluminum
- 11

Fiber Cementitious Lap Siding to match Sherman Williams SW7644 Gateway Gray
- 12

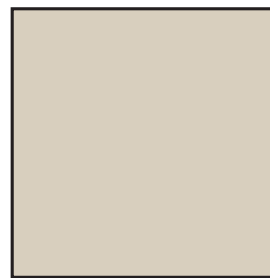
4" Bull Nose Pre Cast Concrete Cap
- 13

Fiber Cementitious Lap Siding to match Sherman Williams SW7551 Greek Villa
- 14

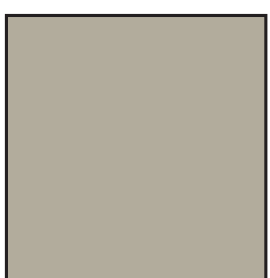
Splitface Block to match SW6120 Believable Buff



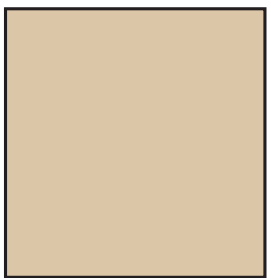
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SW 7551
GREEK VILLA



PAINT
SW 7638
GRECIAN
IVORY



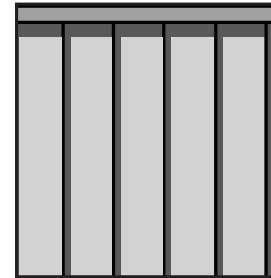
PAINT
SW 7644
GATEWAY
GRAY



PAINT
SW 6120
BELIEVABLE BUFF



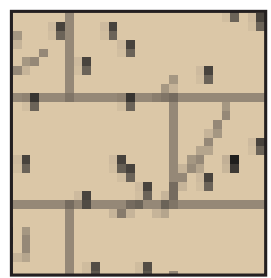
BRICK
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SILVERADO



METAL ROOF
ZINC-COTE
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DECORATIVE
ALUM. TUBE



SPLITFACE BLOCK
SW 6120
BELIEVABLE BUFF
SPLITFACE BLOCK



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



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: CU-01-21 – 226 Maple Street Special Exception Request

AGENDA DATE: October 12th 2021

DATE PREPARED: October 1, 2021

PREPARED BY: Ronald Johnson, Planning & Zoning Specialist

FISCAL IMPACT: N/A

PUBLIC HEARING REQUIRED: Yes

PURPOSE: Thomas Large of Villa Rica, GA has requested a Special Exception for a 2-unit townhome project that would convert a vacant property into two side-by-side residential units. Townhomes are Special Exceptions in the CMU Zone.

BACKGROUND: The property has been vacant since at least 2008 and features a single-family home. The property owner has received several code enforcement actions for the condition of the property over the years that has prompted a redevelopment of the property. Townhomes are permitted as a Special Exception in the CMU Zone and the applicant's proposal meets the definition of a townhome AND a two-family home (which is not permitted in the CMU Zone). Staff, with consultation with the City Attorney, has recognized that because of the circumstances of this case, and the current state of the ordinance definitions, that the proposed alteration meets the ordinance definition of a townhome for consideration. Minimal impact is expected to surrounding uses.

STAFF RECOMMENDATION: APPROVAL

IMPACT: Fulfilling the vacant seat on the commission board.

MOTION: I move to approve the Special Exception for a 2-unit townhome at 226 Maple Street as outlined by staff and as submitted herein.



September 29, 2021

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

Re: Planning Report
Townhome Development
CU-01-21
226 Maple Street
Land Lot 162, District 6
Parcel # V02 0010002
Lot Size: 0.5 Acres (22,275 SF)
Zone: CMU – Commercial Mixed Use
Ward: 3
City Council Member: Leslie McPherson
Planning Board Member: Tom Flowers
City of Villa Rica, Carroll County, Georgia

Dear Mrs. Doyal:

Thomas Large (the Applicant) seeks a Special Exception (Conditional Use Permit) for a 2-unit townhouse development at 226 Maple Street. No variances have been applied for as a part of this request.

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

1. Application for a Special Exception Permit, dated August 31st, 2021;
2. Applicant Summary Description of Project, undated signed by the Thomas Large, Property Owner;
3. Warranty deed, dated November 2nd, 2004, signed by Thomas Large;
4. Warranty deed, dated May 9th, 2013 Thomas J. and Patricia T Large Family Ltd. Partnership
5. Carroll County QPublic Tax Assessor printout, annotated;
6. Copied property survey prepared by Keck & Wood, Inc., undated;
7. Before and After Architectural Plans, undated, by an unknown preparer.



A. Existing Conditions

The subject property is located on the south side of Maple Street. The parcel has approximately 165.17' of frontage and 135' along Maple Street, 135' of depth and consists of 22,275 square feet (0.5 Acres). The property is mostly flat in the front near Maple Street, and has a steep drop-off in the rear and side sections of the property. The property does not have any streams within its boundaries. An existing 2,008 sq. ft. vacant single-family home is located on the lot.

The parcel is currently zoned Commercial Mixed-Use (CMU). The parcel does not border a city boundary/unincorporated area and is directly adjacent to the CMU Zone on the south, east and west. The R2 Single-Family Urban Zone is located to the north across Maple Street.

The parcel borders the following parcels (the current use on each is included in bold):

- 325 W. Bankhead Highway – Eastern border along Maple Street – **Commercial Auto Dealership**
- 333 W. Bankhead Highway – Southern border along W. Bankhead Highway – **Retail Store**
- 339 W. Bankhead Highway – Southern border along W. Bankhead Highway – **Restaurant**
- 359 W. Bankhead Highway – Western border along W. Bankhead Highway – **Acra Printing & Signs**
- 361 W. Bankhead Highway – Western border along Maple Street and S. Dogwood Street – **Motel and Cleaners**
- 225 Maple Street – Northern border along Maple Street – **Single-Family Home**
- 221 Maple Street – Northern border along Maple Street – **Single-Family Home**

Surrounding Properties:

TABLE 1 – SURROUNDING LAND USES		
	Current Zoning	Land Use Character Area
North	Single-Family Urban (R2)	Downtown Activity Center
East	Commercial Mixed Use (CMU)	Downtown Activity Center
South	Commercial Mixed Use (CMU)	Downtown Activity Center
West	Commercial Mixed Use (CMU)	Downtown Activity Center



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

B. Site History

The parcel features a vacant single-family structure. The applicant has not advised how long the property has been vacant, however Google Streetview imagery indicates that the property has been vacant since at least 2008. Based on department maps, the property has always been within the city limits. No previous applications for this address have been found.

The property was rezoned from Downtown Commercial (DO-COM) to Commercial Mixed Use (CMU) during the citywide rezoning effort in 2020.

C. Proposed Development

The applicant is requesting a Conditional Use Permit in order to renovate the current structure into a two-unit townhome development. Each unit would have two bedrooms and two bathrooms. One unit would have an additional half bath. Unit "A" would have 932 sq. ft. and Unit "B" would have 1,000 sq. ft. Each unit is proposed to have their own driveway in the front of the property.



Flood Plain

The property is not located within a flood zone and is not considered a Special Flood Hazard Areas as designated by FEMA. Figure 2, below, indicates the flood zone map:

National Flood Hazard Layer FIRMette



Legend

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

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, V, X2 With BFE or Depth Zone A, V, X1, X2 Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depths less than one foot, or with depths areas of less than one square mile Zone X Future Outflows 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to levee, See Notes, Zone X Area with Flood Risk due to levee Zone X
OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard Zone X Effective US FWS Area of Unexamined Flood Hazard Zone X
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation Cross Section Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Cross Section Boundary Profile Baseline Hydrographic Feature
MAP PANELS	Digital Data Available No Digital Data Available Unmapped The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



Figure 2: FEMA Flood Map



D. Special Exception Decision Criteria

While two-family homes are not permitted in the CMU Zone, “townhomes, lofts and condominiums” are permitted as special exceptions. The applicant’s proposed development meets the legal definition of both a “two-family home” and a “townhome”:

DWELLING, TWO-FAMILY: A building consisting of two (2) dwelling units which may be either attached side by side, or one above the other; and each unit having a separate or combined entrance or entrances from the outside of the building.

TOWNHOUSE: A single-family dwelling with a private entrance that is attached horizontally to other dwelling units in a linear arrangement, with a front and a rear wall that are totally exposed for light, access, and ventilation.

As the applicant has specifically applied for a townhouse development and has been interpreted as meeting the intent of the zone and definition of the use, this application has been reviewed as a townhouse development.

The Comprehensive Plan states the following regarding the Downtown Activity Center areas:

The Downtown District is and will continue to be the urban core of Villa Rica. Redevelopment and infill development should respect historic architecture and existing development patterns (including building placement, lighting, site features, streetscape, etc.), with emphasis on high quality construction and design. Maintaining a compact, pedestrian-oriented environment, with “human-scale” buildings will accommodate a more walkable community. In addition, a dispersed street grid network promotes enhanced traffic mobility. Moreover, supporting residential uses downtown, in the form of “above ground” residential developments (retail/commercial on ground floor) will provide the pedestrian traffic needed to sustain a downtown area.

The Downtown “activity center” extends out from Villa Rica’s existing Downtown District and associated overlay districts. The recommended expansion maintains the existing development pattern and character of the existing Downtown District. High vehicular connectivity can be achieved through necessary road realignments and improvements, especially around the interface of the railroad and downtown streets.”

The existing development pattern in the area is consistent with the Comprehensive Plan from a density and site development standpoint. The nature of the conditional appears to not impact the Comprehensive Plan, and will encourage further density while respecting the existing development patterns. Staff advises that the detriment of the variances would outweigh any benefit.

Conditional Use Decision Criteria

The City Council shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that the use at the



proposed location:

- i) Is in fact a permitted Special Exception use as listed in each zoning district and appears on Table 4.3: Permitted and Special Exception Land Uses of Chapter IV: Zoning Districts for the zoning district involved;

Townhomes are considered Special Exceptions in the CBD Zone as per the attached CBD zone controls within the Zoning Ordinance. As a part of this review, it was discovered that Table 4.3 does not list townhomes as permitted or a special exception in error, and should reflect the uses indicated in the CBD zone controls section. Staff will separately address this error with a correction at a subsequent date.

- ii) Will be harmonious and consistent with the character of the zoning district and in accordance with the general objectives, or with any specific objective of the City's Comprehensive Plan and the Zoning Ordinance;

The proposed use is consistent with the character of the zoning district and neighborhood. CBD features numerous two-family homes throughout the area, as well as higher density land uses, such as apartments and lofts.

- iii) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

Maple Street currently has two multi-family properties, 231 Maple Street (two duplexes) and "Maple Street Lodge" at 3274 Veterans Memorial Highway (motel). These uses are in the direct vicinity of the subject property and are denser than what is proposed. The neighborhood otherwise is primarily single-family with commercial uses bordering the subject property to the south, east and west. The appearance of the property will largely be consistent with the current structure. The only vestiges of a townhome/two-family development upon completion would be a second front door and two driveways. The changes appear to be minimal and are not anticipated to negatively affect the existing neighborhood.

- iv) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

The additional unit is not anticipated to constitute a concern for the ability to provide adequate provision of public services.



- v) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

No additional requirements or service needs are anticipated.

- vi) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors;

No detrimental impacts have been identified.

- vii) Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and

Two driveways are proposed, one for each use, which will provide parking for both uses. Both driveways will connect to Maple Street, which is a lower speed thoroughfare than nearby main roads, such as Highway 78. One driveway is currently present and the addition of a second driveway is not anticipated to result in right-of-way interference.

- viii) Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

No exterior changes are proposed other than a front door and installation of an additional driveway. No landscape changes are proposed.

E. Comments

Staff has weighed the merits of the application and interpreted the use as a special exception with the confirmation of the City Attorney. The use as a 2-unit townhome is a valid use that can be applied within the CBD Zone. The discrepancies between permitted and special exception uses in the zone shall be further reviewed and alterations to clarify the section will be addressed to the City Council at a subsequent date.

Recommendation:

Staff recommendation:

Special Exception: **APPROVAL**

Reasons:

- No negative impact to surrounding uses is expected;
- Meets Comprehensive Plan goals and policies that promote higher density;
- Provides a range of housing opportunities close to the downtown core;
- Would permit for the redevelopment of a long vacant property.



226 Maple Street
CU-01-21
September 29, 2021
Page 8 of 10

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* and the *Douglas County Sentinel* on September 28th, 2021; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

In response to the public notifications, no residents have contacted the city objecting to the proposed variances.

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

Very truly yours,

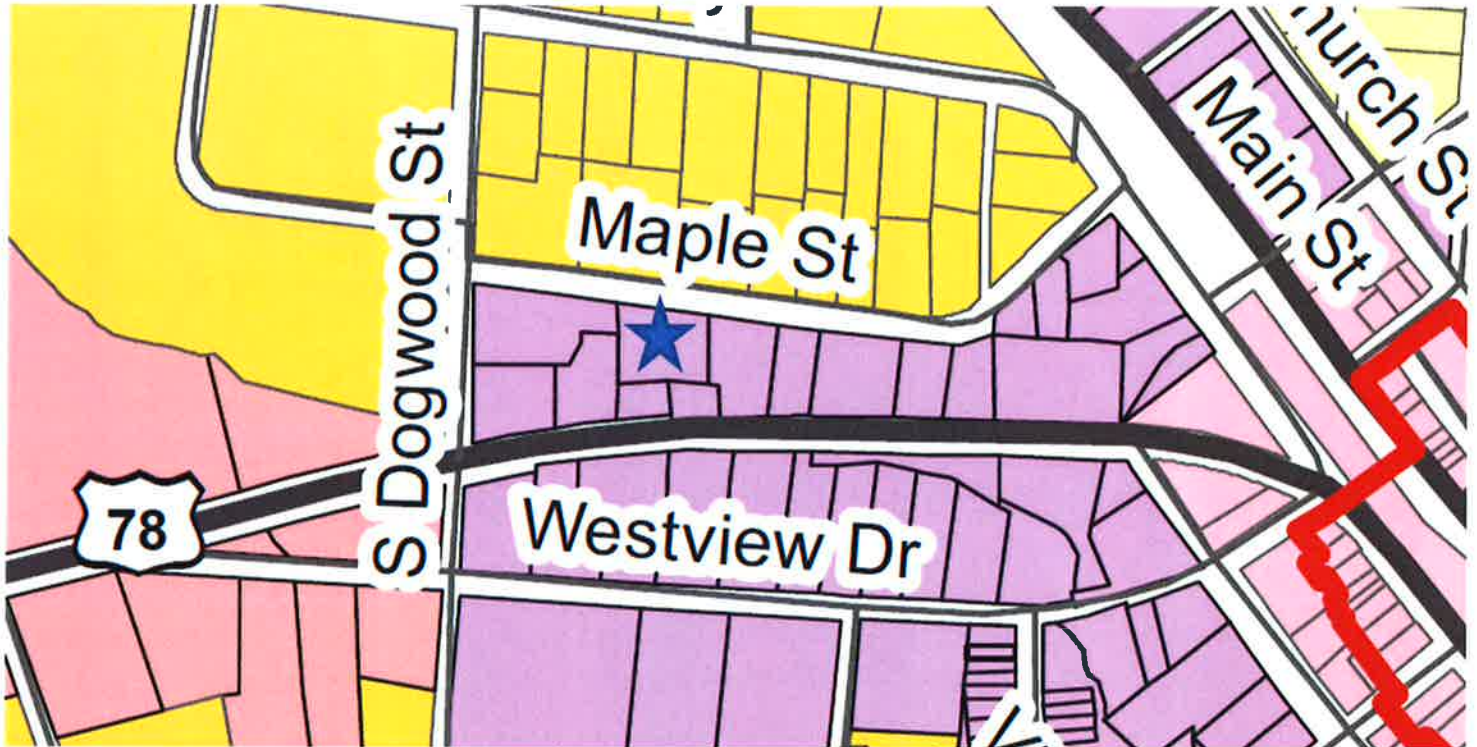
Ronald Johnson

Planning & Zoning Specialist

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



Villa Rica Zoning Map:



Zoning District Legend

-  City Boundary
-  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



Villa Rica Future Land Use 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





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: 8/31/21

APPLICANT

Applicant Name: THOMAS LARGE

Address: P.O. Box 605 City: VILLA RICA State: GA Zip: 30180

Phone: (770) 459-6262 Fax: () Email: TJLARGE48@HOTMAIL.COM

Agent Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: () - _____ Fax: () - _____ Email: _____

Owner Name (If different from applicant): _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: () - _____ Fax: () - _____ Email: _____

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

SPECIAL EXCEPTION

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

Name: 226 MAPLE STREET

Special Exception Location (attach location map): 226 MAPLE ST, VILLA RICA, GA.

Proposed Use: Townhouse duplex

Square Footage of Site: 22,275

Assessor's Parcel Number: V02 0010002

Describe Proposed Special Exception: THE PURPOSE OF THIS PROPOSED DEVELOPMENT WOULD BE TO RENOVATE AN EXISTING SINGLE FAMILY RESIDENCE (1932 SF) INTO TWO TOWNHOUSE UNITS. EACH UNIT WOULD HAVE 2 BEDROOMS AND TWO BATHROOMS. ONE UNIT WOULD HAVE AN ADDITIONAL 1/2 BATH. UNIT A WOULD BE 932SF. UNIT B WOULD BE 1000SF. A DRIVEWAY ACCOMMODATING TWO CARS WOULD BE INSTALLED AT EACH END OF THE TOWNHOUSE. THE RENOVATION WOULD MEET ALL CURRENT BUILDING CODES.

(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: _____

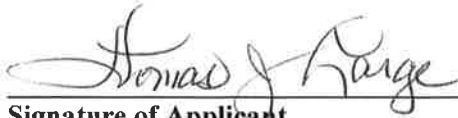
Manager's Signature: _____ Date: _____



**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, THOMAS LARGE, hereby state that all of the above statements and statements contained in the documents submitted with this application are true.



Signature of Applicant

8/31/21

Date

Required Materials to Accompany the Application:

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

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



APPLICATION FOR SPECIAL EXCEPTION

Disclosure of Campaign Contributions

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

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

Yes _____ No ✓

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

**Council/Planning Commission
Member Name**

**Dollar amount of Campaign
Contribution**

**Description of Gift \$250 or greater
given to Board Member**

We certify that the foregoing information is true and correct, this 31ST day of August, 2021.

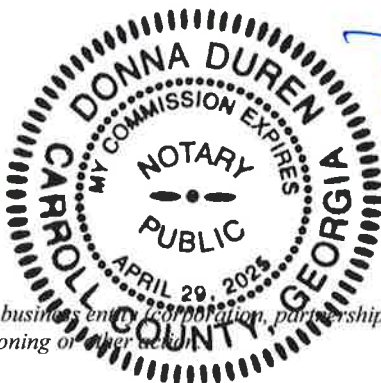
THOMAS LARGE
Applicant's Name – Printed

Thomas J. Large
Signature of Applicant

Applicant's Attorney, if applicable – Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 31ST day of August, 2021.

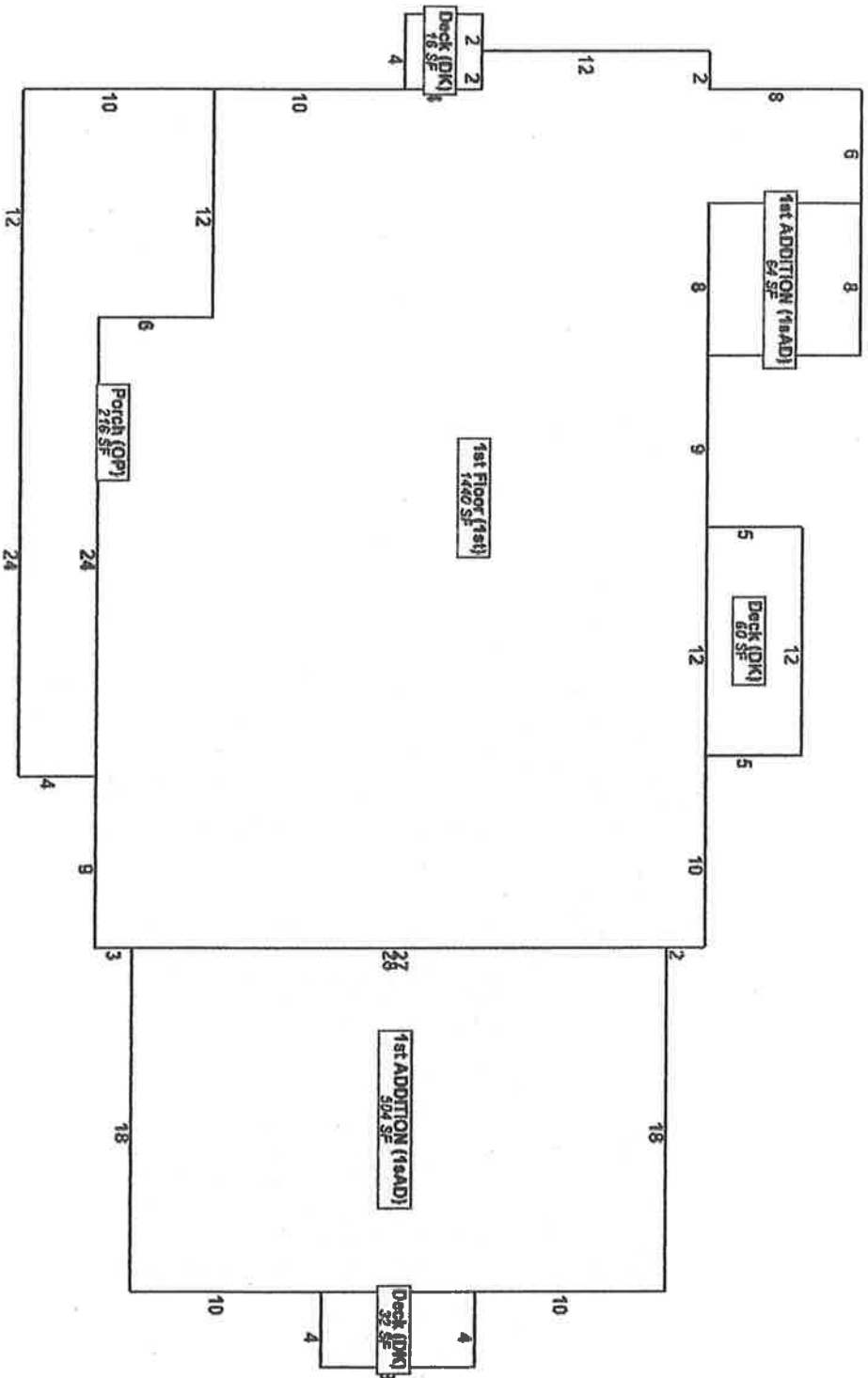


Donna Duren

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.

226 MAPLE ST - BEFORE RENOVATION



APPLICATION FOR SPECIAL EXCEPTION FOR
226 MAPLE STREET, VILLA RICA, GA. 30180

TO: Villa Rica City Council

FROM: Thomas Large
Property Owner

SUBJECT: Approval of a Special Exception for 226 Maple St., Villa Rica, Ga. as set forth in Section 11.09 of the Villa Rica Zoning Ordinance.

- 3a. The proposed use of 226 Maple St is as a single story townhouse duplex.
- 3b. The effect of this proposed development would be to renovate an existing single family residence into a single story townhouse duplex. This renovation should complement the 20 room lodge located on the lot next to 226 Maple Street and the two duplexes located directly across the street from the lodge on Maple Street since they are all multi-family units. Additional housing units near downtown continue to be in great demand and this proposed renovation would serve the public and City interest by creating additional living spaces in and near downtown.
- 3c. The purpose of the Villa Rica Zoning Ordinance and the Comprehensive Plan for Villa Rica is to make Villa Rica a more desirable, pleasant and safe community in which to live and raise a family. This renovation of a long-time vacant structure, located near the elementary school, close to highway 78 and close to downtown Villa Rica will help us meet these important goals.
- 3d. The areas most likely to be affected by this proposed renovation are the businesses located in and near downtown, and the elementary school which will certainly attract families with young children of elementary school age. Villa Rica as a city will be affected as young professionals continue to seek accessible, desirable communities near Atlanta in which to live.
- 3e. Residential spaces that can be rented rather than purchased seem to be in greater and greater demand. They are more affordable for families on tight budgets. Social and economic priorities seem to be shifting away from prioritizing home ownership to focusing on family growth. Our zoning and planning priorities seem to focus on community development.

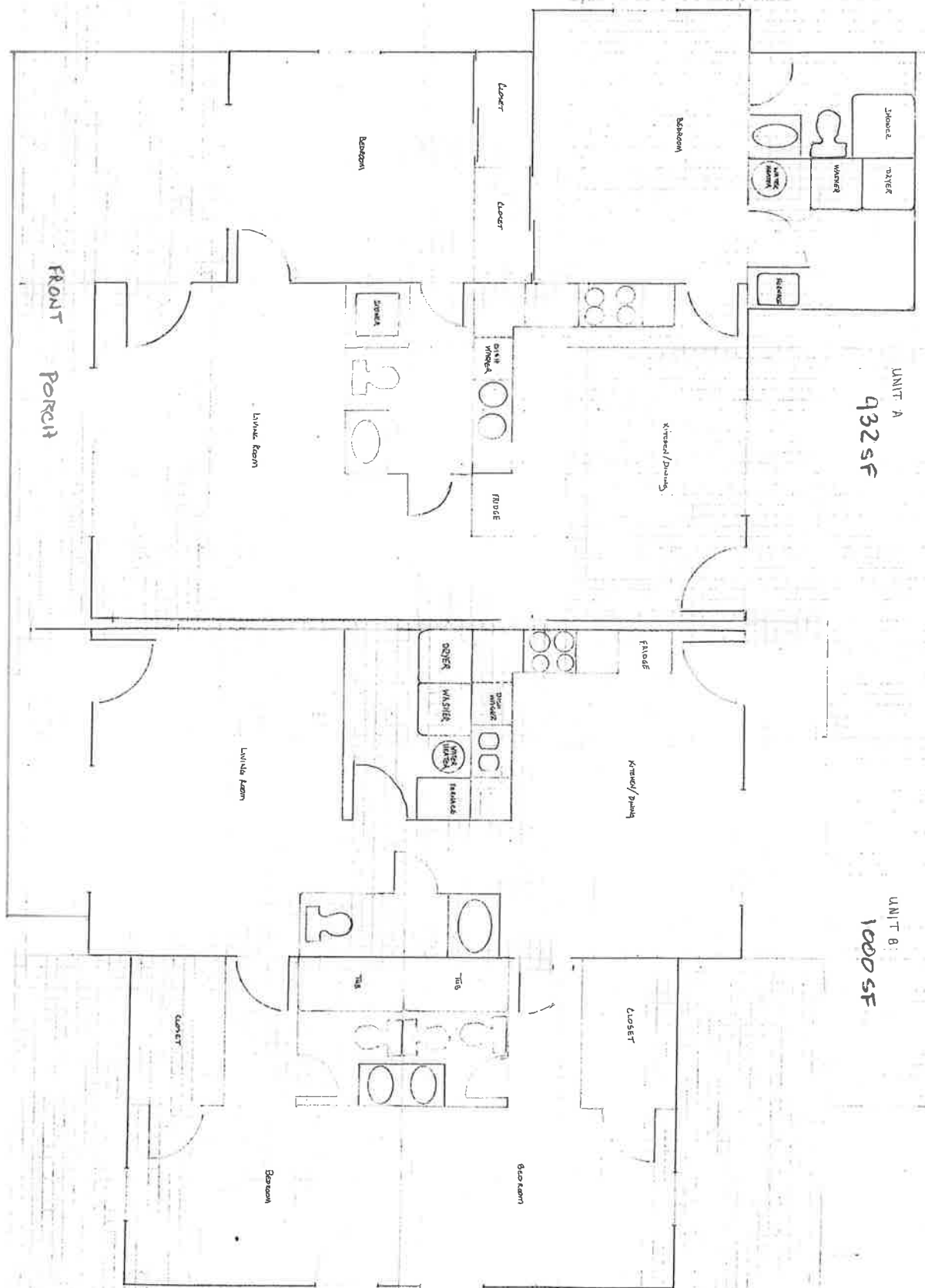


/02 0010002 Residential VILLA RICA 0.5	Owner	LARGE THOMAS J & PATRICIA T FAMILY LIMITED PARTNERSHIP P.O. BOX 605 VILLA RICA, GA 30180	Last 2 Sales	
	Physical Address	226 MAPLE ST	Date	Price
	Assessed Value	Value \$78626	5/9/2013	0
			11/2/2004	\$10000

used on legal

7/2021 6:11:56 PM

226 MAPLE ST AFTER PROPOSED RENOVATION



MAPLE STREET 50' R/W _____ E
20FT X 20FT DRIVEWAY



PH 20
ON CARROLL COUNTY
...COST
5 NOV 20 PM 12:10
...COST

0.50 ACRES

DOYCE R. PIKE, Jr.

NOVEMBER 6, 1985

VISIONS

Keck & Wood, Inc.
23 WABASH STREET, CHICAGO, ILL. 60604

**ENGINEERS SURVEYORS
PLANNERS**

SCALE: 1" = 20'

The field data upon which this plot is based have a closure precision of one foot in 40,771 feet and an accuracy of 0.0001.

Surveyed by
Comptroller

In my opinion this plant is a correct representation of the food plant and has been prepared in conformity with the minimum standards and requirements of law.

This plan has been submitted for closure and is currently 10 within one week. Do you?

Executive by 95
Job no 95
Field Book no 95

12744

BK PG
2910 299

LT# 222-2904-000705
 CARROLL COUNTY, GEORGIA
 REAL ESTATE TRANSFER TAX
 PAID 1.00 00
 DATE 11-12-04
 J. Kenneth Skinner
 CLERK OF SUPERIOR COURT

FILED
 GA CARROLL COUNTY
 CLERK SUPERIOR COURT

04 NOV 12 PM 1:42

J. Kenneth Skinner
 CLERK SUPERIOR COURT
 CARROLL COUNTY, GEORGIA

#2116

Please return to:
 Timothy A. McCreary
 P.O. Box 310
 Villa Rica, Georgia 30180

WARRANTY DEED**STATE OF GEORGIA,
CARROLL COUNTY**

THIS INDENTURE, made this 2 day of NOVEMBER, in the year of our Lord TWO THOUSAND FOUR, between DOYCE RAY PIKE, JR., of the County of Douglas, and State of Georgia of the first part, and THOMAS J. LARGE, of the County of Carroll, and State of Georgia of the second part:

WITNESSETH, that the said party/parties of the first part, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other valuable considerations, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has/have granted, bargained, sold and conveyed, and by these presents does/do grant, bargain, sell and convey unto the said party/parties of the second part, himself, his heirs and assigns, all the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot Number 162 of the 6th District of Carroll County, Georgia, and being in the city limits of Villa Rica, and being more particularly described, to-wit: To find the point of beginning, commence at the point of intersection between the easterly right of way line of South Dogwood Street and the southerly right of way line of Maple Street, said street having a fifty (50') foot right of way, and from said point of intersection, run thence south 83 degrees 08 minutes 49 seconds east 264.51 feet to an iron pin and the point of beginning.

From said point of beginning, run thence south 00 degrees 25 minutes 23 seconds east 55.73 feet to an iron pin; run thence south 00 degrees 25 minutes 23 seconds east 23.31 feet; run thence south 01 degrees 44 minutes 35 seconds west 65.33 feet to an iron pin; run thence north 87 degrees 58 minutes 22 seconds east 168.76 feet to an iron pin; run thence north 01 degrees 38 minutes 22 seconds west 114.93 feet to an iron pin; run thence north 01 degrees 38 minutes 22 seconds west 2.89 feet to an iron pin located on the southerly right of way line of Maple Street; run thence north 82 degrees 50 minutes 20 seconds west 165.17 feet and along the southerly right of way line of Maple Street to an iron pin, and the point of beginning.

The above described property being the same property as described in that warranty deed dated December 1, 1987, as recorded in Deed Book 586, Page 465, and as described in that deed recorded July 17, 1975, in Deed Book 331, Page 772, both deeds as recorded in the Clerk's Office, Carroll Superior Court.

The above described property being more fully shown as 0.50 acres on a plat entitled "Survey for Doyce R. Pike, Jr." by Ross A. Lynn, R.L.S. #2316, dated November 6, 1995, as recorded in Plat Book 55, Page 15, Clerk's Office, Carroll Superior Court, and said survey and the description contained therein is hereby incorporated by reference.

TO HAVE AND TO HOLD, the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of THOMAS J. LARGE, the said party/parties of the second part, himself, his heirs and assigns forever in Fee Simple.

And the said party/parties of the first part for himself, his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property unto the said party/parties of the second part, himself, his heirs and assigns, against the claims of all persons whomsoever.

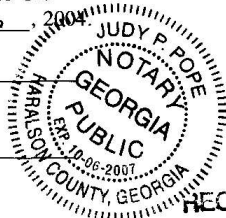
IN WITNESS WHEREOF the said party/parties of the first part has/have hereunto set his hand(s) and affixed his seal(s) the day and year first above written.

DOYCE RAY PIKE, JR. (SEAL)

Sworn to and subscribed before me
 this 2 day of NOVEMBER, 2004

Witness

Notary Public



RECORDED NOV 15 2004 KENNETH SKINNER, CLERK

314942

BK PG
5255 499

PT-61-022-2013-002219
CARROLL COUNTY, GEORGIA
REAL ESTATE
TRANSFER TAX PAID \$ 0
INTANGIBLE TAX PAID \$ —
DATE 5-24-13
Alan J. Lee
CLERK OF SUPERIOR COURT

FILED
GA. CARROLL COUNTY
CLERK OF SUPERIOR COURT

13 MAY 24 AM 11:22

Alan J. Lee
CLERK OF SUPERIOR COURT
CARROLL COUNTY GEORGIA

25

#v03526 NTC
Please return to:
Timothy A. McCreary
P.O. Box 310
Villa Rica, Georgia 30180

WARRANTY DEED

STATE OF GEORGIA,
COUNTY OF

THIS INDENTURE, made this 9 day of MAY, in the year of our Lord Two Thousand and Thirteen, between Thomas J. Large and Patricia T. Large of the County of Carroll and State of Georgia of the first part, and Thomas J. and Patricia T. Large Family Limited Partnership of the County of Carroll and State of Georgia of the second part:

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other valuable considerations, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all the following described property, to-wit:

All tracts of land as described in Exhibit "A" as attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD, the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of Thomas J. and Patricia T. Large Family Limited Partnership, the said parties of the second part, their heirs and assigns forever in Fee Simple.

And the said parties of the first part for their heirs, executors and administrators, will warrant and forever

defend the right and title to the above described property unto the said parties of the second part their heirs and assigns, against the claims of all persons whomsoever.

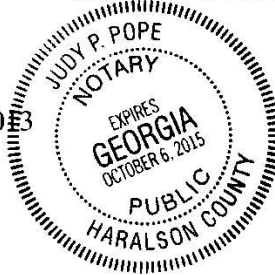
IN WITNESS WHEREOF the said parties of the first part have hereunto set their hands and affixed their seal (s) the day and year first above written.

Thomas J. Large (SEAL)
THOMAS J. LARGE

Sworn to and subscribed before me
this 27th day of May, 2013

Beverly B. Swafford

Witness
Mr. B. Syre
Notary Public



Patricia T. Large (SEAL)
PATRICIA T. LARGE

Sworn to and subscribed before me
this 27th day of May, 2013

Mr. B. Syre

Witness
Mr. B. Syre
Notary Public



Exhibit "A" continued...

Deed Book 527, Page 392; and conveyed to Thomas J. Large by Warranty Deed from Jeffrey R. Strickland and Dam Khounsamnane, dated April 30, 1999, recorded in Deed Book 1131, Page 485, Clerk's Office, Carroll Superior Court .

Being known as Map Reference Number V010070005

Tract 15: All that tract or parcel of land lying and being in Land Lot No. 161 of the 6th District of Carroll County, Georgia in the City of Villa Rica, and which is more particularly described as follows: To find the point of beginning, begin at the point where the center line of South Candler Street is intersected by the center line of West Wilson Street, and from said point run north 45 degrees 30 minutes 53 seconds west 171.14 feet to an iron pin found on the western right of way line of West Wilson Street and the Point of Beginning; from said point of beginning, run along the western right of way line of West Wilson Street, north 34 degrees 25 minutes 16 seconds west 112.50 feet; thence leaving the western right of way line of West Wilson Street run south 55 degrees 15 minutes 38 seconds west 290.54 feet; thence run south 43 degrees 51 minutes 04 seconds east 108.25 feet; thence run north 56 degrees 26 minutes 21 seconds east 272.83 feet to the point of beginning. Said described tract of land contains 0.71 acres, more or less, and has a metal building located thereon according to the plat hereinafter referred to.

The above description is made in accordance with the plat prepared for J. E. Alverson by Ross A. Lynn, Georgia Registered Land Surveyor No. 2316, dated March 28, 1994 and revised September 13, 1994, a copy of which is recorded in Plat Book 51, Page 111, in the Office of the Clerk of Superior Court of Carroll County, Georgia, and which plat is by leave of reference incorporated into and made a part of this description.

The above described property being the same property as that contained in that certain warranty deed from Thomas M. Page to J. E. Alverson dated February 7, 1984, and recorded in Deed Book 464, Page 583, Carroll County Deed Records; and as conveyed to Thomas J. Large by Warranty Deed from Christopher A. Allison, dated October 28, 2004, recorded in Deed Book 2929, Page 64, Clerk's Office, Carroll Superior Court.

Being known as Map Reference Number V070050010

Tract 16: All that tract or parcel of land lying and being in Land Lot Number 162 of the 6th District of Carroll County, Georgia, and being in the city limits of Villa Rica, and being more particularly described, to-wit: To find the point of beginning, commence at the point of intersection between the easterly right of way line of South Dogwood Street and the southerly right of way line of Maple Street, said street having a fifty (50') foot right of way, and from said point of intersection, run thence south 83 degrees 08 minutes 49 seconds east 264.51 feet to an iron pin and the point of beginning.

From said point of beginning, run thence south 00 degrees 25 minutes 23 seconds east 55.73 feet to an iron pin; run thence south 00 degrees 25 minutes 23 seconds east 23.31 feet; run thence south 01 degrees 44 minutes 35 seconds west 65.33 feet to an iron pin; run thence north 87 degrees 58 minutes 22 seconds east 168.76 feet to an iron pin; run thence north 01 degrees 38 minutes 22 seconds west 114.93 feet to an iron pin; run thence north 01

Exhibit "A" continues on next page...

Exhibit "A" continued...

degrees 38 minutes 22 seconds west 2.89 feet to an iron pin located on the southerly right of way line of Maple Street; run thence north 82 degrees 50 minutes 20 seconds west 165.17 feet and along the southerly right of way line of Maple Street to an iron pin, and the point of beginning.

The above described property being the same property as described in that warranty deed dated December 1, 1987, as recorded in Deed Book 586, Page 465, and as described in that deed recorded July 17, 1975, in Deed Book 331, Page 772, both deeds are recorded in the Clerk's Office, Carroll Superior Court.

The above described property being more fully shown as 0.50 acres on a plat entitled "Survey for Doyce R. Pike, Jr." by Ross A. Lynn, R.L.S.#2316, dated November 6, 1995, as recorded in Plat Book 55, Page 15, Clerk's Office, Carroll Superior Court, and said survey and the description contained therein is hereby incorporated by reference.

Being the same property as that conveyed to Thomas J. Large by Warranty Deed from Doyce Ray Pike, Jr. dated November 2, 2004, recorded in Deed Book 2910, Page 299, Clerk's Office, Carroll Superior Court.

Being known as Map Reference Number V020010002

Tract 17: All that tract or parcel of land lying and being in Land Lot Number 161, of the 6th District of Carroll County, Georgia, and being in the City of Villa Rica, and being more particularly described, to-wit: To find the point of beginning, commence at the point of intersection between the easterly right of way line of Westview Drive, said street having a fifty (50") foot right of way, and the southerly right of way line of Highway 78, and from said point of intersection run thence southeasterly and along the southerly right of way line of U. S. Highway 78, 46.68 feet to the point of beginning.

From said point of beginning run thence north 45 degrees 23 minutes 05 seconds east 4.26 feet; run thence southeasterly and along the southerly edge of a concrete sidewalk 40.29 feet; run thence south 45 degrees 23 minutes 05 seconds west 94.84 feet; run thence north 44 degrees 42 minutes 04 seconds west 40.00 feet; run thence north 45 degrees 23 minutes 05 seconds east 90.74 feet to the point of beginning.

The above described property being more fully shown as a part of original Lot 6, Block 8 of the City of Villa Rica on a plat entitled "Survey for Thomas J. Large", by Clifford R. Hughes, Jr., R.L.S. #2010 dated April 30, 1996, and recorded in Plat Book 56, Page 185 Clerk's Office, Carroll Superior Court, and said survey and the description contained therein is hereby incorporated by reference.

Being the same property as that conveyed to Thomas J. Large by Executor's Deed Under Power of Private Sale Granted and Authorized in the Will, from Barry Marchman Boyd, Executor Under the Last Will and Testament of Madeline H. Boyd, deceased and Executor Under the Last Will and Testament of H. Marchman Boyd,

Exhibit "A" continues on next page...



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Revision to Villa Rica Development Regulations Relative to Stream Buffers

AGENDA DATE: September 21, 2021

DATE PREPARED: August 19, 2021

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

AMOUNT:

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PURPOSE: The purpose of this agenda item is to reduce the stream buffers back to the State Mandatory 25-feet inside the Carroll County portion of Villa Rica City Limits.

BACKGROUND: Back around 2008, the City increased its buffers to a total of 75-feet to encompass the mandatory State 25-feet, an additional City Regulated 25-feet plus an additional 25-foot impervious setback portion. As developable parcels are reduced in the City, it is very difficult to develop with a total of 150-foot buffer (75-feet both sides of stream) running through the parcel. We are recommending this total buffer be reduced back to the State minimum of 25-feet. This would be in the Carroll County portion of the City.

We would like to maintain the 75-foot buffer setup in the Dog River basin of Douglas County only.

This regulation is covered in Section 700 of the Development Regulations which is the Erosion and Sediment Control section of our Regulations. Particularly Section 704, "C", Number 18 as depicted in the ordinance document attached.

STAFF RECOMMENDATION: Staff recommends approval.

IMPACT: N/A

MOTION: I move to approve the revision of Section 700 of the Development Regulations to reduce the stream buffer widths back to the State minimum 25-feet inside the Carroll County portion of the City limits and to leave the 75-foot regulation in place for the Dog River Basin portion inside Douglas County.

**AN ORDINANCE FOR THE REVISION
OF STREAM BUFFERS IN THE
CITY OF VILLA RICA, GEORGIA**

WHEREAS, the City Council for the City of Villa Rica is responsible for establishing the rules and regulations to promote the health, safety and welfare of the citizens of Villa Rica; and

WHEREAS, the City of Villa Rica does desire to update and recodify its Ordinances with regard to Stream Buffers within the City;

NOW, THEREFORE, it is hereby ordained by the Mayor and Council as follows:

1. In the City of Villa Rica Development Regulations, Section 704, Minimum Requirements for Erosion and Sedimentation Control Using Best Management Practices, Section "C", Number 18 is hereby revised and readopted and decodified as set forth below:

2. The City does hereby adopt Section 704 of the Development Regulations, Minimum Requirements for Erosion and Sedimentation Control Using Best Management Practices, Section "C" Number 18 as revised hereto with the revisions set forth below in its entirety effective immediately upon signature by the Mayor or Mayor Pro Tem.

Section 704, Minimum Requirements for Erosion and Sedimentation Control Using Best Management Practices, Section "C", Number 18 to be re-written as follows:

18. In non-trout streams like those in Villa Rica, the State requires a minimum 25-foot vegetative buffer extending from the stream bank or the point of wrested vegetation. However, in the city limits of Villa Rica, only in the Dog River Basin in Douglas County, these State standards have been extended to require a minimum 50-foot buffer with a 75-foot setback for any impervious surface.

Dog River Drainage Basin as defined by the Rules and Regulations of Douglas County Water and Sewer Authority is all that tract or parcel of land lying and being in Douglas County, Georgia, and being more particularly described as follows:

BEGINNING at the point of intersection of the centerline of State Highway 78 with the Douglas/Carroll County line; proceeding thence in an easterly direction along the centerline of U.S. Highway 78 to its intersection with Bright Star Road; proceeding thence in a southerly direction along the centerline of Bright Star Road to its intersection with Central Church Road; proceeding thence in a southeasterly direction along the centerline of Central Church Road to its intersection with State Highway 5; proceeding thence in a southwesterly direction along the centerline of State Highway 5 to its intersection with Big A Road; proceeding thence in a southeasterly direction along the centerline of Big A Road to its intersection with State Highway 166; proceeding thence in an easterly direction along the centerline of State Highway 166 to its intersection with S. River Road; proceeding thence in

a southerly direction along the centerline of S. River Road to its intersection with the northern land lot line of Land Lot 7, 3rd District, 5th Section; proceeding thence in a westerly direction along the northern land lot line of Land Lot 7, 3rd District, 5th Section to its intersection with the easterly land lot line of Land Lot 14, 3rd District, 5th Section; proceeding thence in a southerly direction along the easterly land lot line of Land Lot 14, 3rd District, 5th Section and Land Lot 15, 3rd District, 5th Section to its intersection with the Chattahoochee River; proceeding thence along the centerline of the Chattahoochee River to its intersection with the easterly land lot line of Land Lot 30, 3rd District, 5th Section; proceeding thence in a northerly direction along the easterly land lot line of Land Lot 30, 3rd District, 5th Section and Land Lot 29, 3rd District, 5th Section to its intersection with Five Notch Road; proceeding thence in a northwesterly direction along the centerline of Five Notch Road to its intersection with State Highway 166; proceeding thence in a westerly direction along the centerline of State Highway 166 to its intersection with the Douglas/Carroll County line.

IT IS SO ORDAINED on this the_____day of September, 2021.

Gil McDougal, Mayor

Attest:

Alisa Doyal, City Clerk



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



**APPLICATION FOR BOARD OR COMMISSION
APPOINTMENT**

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

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

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

APPLICANT INFORMATION

Applicant Name:

Shirley A Hillsman

Occupation:

Retired

Employer:

None

Home Address:

406 Darden Street

City:

Villa Rica

Zip:

30180

Home Phone:

(770) 459-5743

Home E-Mail:

Work Phone:

() None

Work E-Mail:

Cell Phone:

(470) 343-0420

Preferred E-Mail:

☐ Home

☐ Work

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

- a) Which Board(s) or Commission(s) do you wish to be appointed to? Planning Zoning
- b) How long have you been a resident of the City of Villa Rica? 79 Years ___ Months
- c) Are you current with all of your financial obligations to the City? ☒ Yes ☐ No
- d) Are you willing and available to attend training sessions on-site and/or off-site if provided by the City? ☒ Yes ☐ No
- e) Available Boards and Commissions and their terms and meeting schedules are listed at the end of this application. Are you able to meet the attendance requirements of the position for which you are applying? ☐ Yes ☐ No
- f) Do you know of any circumstances that would result in you having to abstain from voting on any action before the Board or Commission? ☐ Yes ☒ No If yes, please explain:
- _____
- _____
- _____
- g) Do you or your employer, or your spouse, child, relative or their employers, do business with the City of Villa Rica ☐ Yes ☒ No If yes, please explain:
- _____
- _____
- _____
- h) Do you have any employment or contractual relationship with the City of Villa Rica that would create a continuing or frequently recurring conflict with regard to your participation on a Board or Commission? ☐ Yes ☒ No If yes, please explain:
- _____
- _____

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

I Am A Life Long Resident of the City
of Villa And I would like to work with
other for the Good And Improvement
of the City if I Can

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

APPLICANT STATEMENT

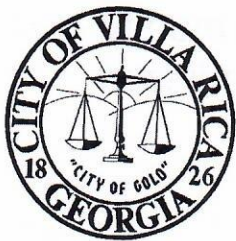
I understand that I am applying for appointment to a Board or Commission and that the appointing authority may require an interview prior to consideration for appointment; that I will be required to take an oath of office to uphold the City's charter and ordinances; that I may be removed from office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

Shirley A. Hillsman Shirley A Hillsman 9 - - 21
Signature Printed Name Date

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

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

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



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



APPLICATION FOR BOARD OR COMMISSION
APPOINTMENT

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

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

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

APPLICANT INFORMATION

Applicant Name: DOUGLAS. A. LANG

Occupation: Retired Employer: N/A

Home Address: 262 S. carroll Rd. (-WARD) W. 1 City: VILLA RICA Zip: 30180

Home Phone: () N/A Home E-Mail: DALS9@ATT.net

Work Phone: () N/A Work E-Mail: N/A

Cell Phone: (770) 862-5967 Preferred E-Mail: ☒ Home ☐ Work

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

- a) Which Board(s) or Commission(s) do you wish to be appointed to? Planning + Zoning
- b) How long have you been a resident of the City of Villa Rica? 19 Years ___ Months
- c) Are you current with all of your financial obligations to the City? ☒ Yes ☐ No
- d) Are you willing and available to attend training sessions on-site and/or off-site if provided by the City? ☒ Yes ☐ No
- e) Available Boards and Commissions and their terms and meeting schedules are listed at the end of this application. Are you able to meet the attendance requirements of the position for which you are applying? ☒ Yes ☐ No
- f) Do you know of any circumstances that would result in you having to abstain from voting on any action before the Board or Commission? ☐ Yes ☒ No If yes, please explain:
- _____
- _____
- _____
- g) Do you or your employer, or your spouse, child, relative or their employers, do business with the City of Villa Rica ☐ Yes ☒ No If yes, please explain:
- _____
- _____
- _____
- h) Do you have any employment or contractual relationship with the City of Villa Rica that would create a continuing or frequently recurring conflict with regard to your participation on a Board or Commission? ☐ Yes ☒ No If yes, please explain:
- _____
- _____

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

I Am Currently A member of The HAC. I love being involved in the historic Preservation of our City. AND, have restored 2 homes here, downtown both built in 1902.

However, I Am Also very interested in the future and Growth of our City. AND, in 2017 Started construction

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

OF A BRAND NEW Building IN The heart of our downtown. Parcel NO. V07 001 0002. I learned ABOUT Site PLANS, Architectural AND Engineering PLANS, Applying for building Permits, running utilities and much more. I worked directing with City of Villa Rica Atz, STATE DOT, carroll county Fire Marshall AND many others. I Am very much Tied to This community.

I have A desire to preserve our history AND to help The city grow in A way That will best serve This city AND its residents

APPLICANT STATEMENT

THANK YOU FOR YOUR
Consideration

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

Signature

Printed Name

Date

Please return signed application to:

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

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

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



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Appointment to the Planning and Zoning Commission

AGENDA DATE: October 12th 2021

DATE PREPARED: October 1, 2021

PREPARED BY: Ronald Johnson, Planning & Zoning Specialist

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PURPOSE: To make an appointment into the vacant seat on the Planning and Zoning Commission Board for the term that began on January 1st 2020 and ends December 31st 2022.

BACKGROUND: This seat on the commission was vacated by Willie Marchman, and ends December 31st, 2020. Two applicants have applied for the position. Both applicants live within the ward to which the seat belongs (Ward 1).

STAFF RECOMMENDATION: N/A

IMPACT: Fulfilling the vacant seat on the commission board.

MOTION: I move to approve the appointment of _____ to the Planning and Zoning Commission for the term of January 1st 2020 – December 31st 2022.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Revision to Traffic Calming Program
AGENDA DATE: October 12, 2021

DATE PREPARED: October 5, 2021
PREPARED BY: Bobby C. Elliott, P.E.

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

PURPOSE: The purpose of this revision is to reduce the percentage of individual lots required to start the petition process for a traffic calming device from 75 percent to 60 percent. Also, where joint ownership of a lot exists, only one party is required to sign the petition whereas the old code required both joint owners to sign.

BACKGROUND: The current traffic calming ordinance is fairly strict in its requirements for property owners to start the process of traffic calming request where excessive speeding is suspected. This change will make it easier for neighborhoods to apply for relief and to verify speeding problems.

STAFF RECOMMENDATION: Staff Recommends Approval of this Revision.

IMPACT: N/A

MOTION: I move to approve the revision of the Traffic Calming Ordinance to address percentages required to qualify for a study and where co-owners of the same property exist, only one party is required to sign the petition as indicated on the Ordinance Amendment document attached.

AMENDMENT TO VILLA RICA ORDINANCE

WHEREAS, the City of Villa Rica Code of Ordinances contains provisions entitled "Traffic Calming Program"; and

WHEREAS, the Mayor and Council do desire to amend the terms of said ordinance.

NOW, THEREFORE BE IT HEREBY ORDAINED that Sec. 22-127. – Procedure. be deleted in its entirety and replaced with the language set forth below:

Sec. 22-127. Procedure.

- (a) *Petition for traffic calming device.* To have a traffic calming device installed in City of Villa Rica, a petition must be submitted to community development. All of the property owners in the subdivision or defined service area shall be contacted and given opportunity to sign this petition, indicating "yes" or "no" concerning the installation of traffic calming devices. In the event of joint ownership of a lot, either owner may sign. Owners must sign individually. This includes owners of undeveloped lots; renting tenants are not an acceptable substitute for the legal homeowner. No signature will be withdrawn from the petition after it is filed with community development. The purpose of the witness' signature is to verify the signatures of the property owners. The percentages will be calculated, based on individual lots where owners' sign affirmatively, divided by the total number of lots in the platted subdivision. Each lot counts as only one vote, regardless of the number of owners signing. If lots require more than one signature and do not have a unanimous vote, the vote will not be counted. At least 60 percent of the lots must vote in favor of the traffic calming device before petitions can be reviewed by community development. Once the petition is signed, notarized and returned to community development, it will be checked against tax records and land lot maps to insure it meets all requirements. For subdivisions not completely built out, a minimum of 60 percent of the total units within the subdivision must be occupied before a petition for the installation of traffic calming devices will be considered, and a minimum of 80 percent of the total units must be occupied before a petition for the removal of the devices will be considered.
- (b) *Speed criteria.* Community development traffic studies must find a speeding problem does exist. The speed study will provide the 85th percentile speed, which must prove speeds are at least ten mph over the posted speed limit of 25 mph. The 85th percentile speed is an excellent indicator of street character and is used by nearly all states and cities for establishing regulatory speed limits.
- (c) *Removal process.* Removal of traffic calming devices can proceed if the city is presented a petition requesting that the devices be removed. The petition must be completed following the same criteria defined in section 22-127(a). Such a petition for removal will only be considered after traffic calming devices have been in place for a period of at least one year.

- (d) *Design review process.* All designs submitted to community development for traffic calming devices must meet all the requirements listed in sections 22-121, 22-124 and 22-125. Community development will review (allow up to 60 days) and possibly require modifications to the design. Once community development approves the design, it will be forwarded to the Villa Rica City Council for their consideration.

IT IS HEREBY ORDAINED on this the ____ day of _____, 2021.

Gil McDougal, Mayor
City of Villa Rica

Attest:

Alisa Doyal, City Clerk



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: New Library Advisory Board Member
AGENDA DATE: October 12, 2021

DATE PREPARED: September 16, 2021
PREPARED BY: Evette Bridges, Library Manager

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

PURPOSE:

Filling the open position on the Library Advisory Board

BACKGROUND:

As of 6/30/2021, Craig Ford's term on the board ended, and he decided not to continue with LAB (Library Advisory Board). Applicants' interviews held on Tuesday, September 14, 2021 resulted in the selection of the new board member to be recommend to the city council for appointment.

STAFF RECOMMENDATION: Robert Hardeman was the applicant selected to fill the position for the following reasons:

- New to community and wants to serve the community
- Likes the library and has ideas to reach those that are technologically savvy and those that are not (Outreach)
- Sensitive to the needs of special needs population and youth
- Want to promote learning for a lifetime
- Wants to help promote the library as the hub of the community

IMPACT: N/A

MOTION: I move to appoint Robert Hardeman as the new Library Advisory Board member for a term to go from October 29, 2021 until June 30, 2024



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



APPLICATION FOR BOARD OR COMMISSION APPOINTMENT

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

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

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

APPLICANT INFORMATION

Applicant Name: Robert K. Hardeman

Occupation: Attorney Employer: Drew, Eckl & Farnham

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

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

Work Phone: () Work E-Mail:

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

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

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

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

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

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

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

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

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

APPLICANT STATEMENT

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



Signature

Robert K. Hareleman

Printed Name

2/19/2021

Date

Please return signed application to:

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

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

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



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



APPLICATION FOR BOARD OR COMMISSION
APPOINTMENT

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

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

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

APPLICANT INFORMATION

Applicant Name: Rhonda M. Gullette

Occupation: Clerical Employer: City of Villa Rica

Home Address: 1244 Dallas Hwy City: Villa Rica Zip: 30180

Home Phone: (770) 459 2940 Home E-Mail: _____

Work Phone: (770) 459 5149 Work E-Mail: rgullette@villarica.org

Cell Phone: (404) 216 1510 Preferred E-Mail: ☐ Home ☒ Work

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

City of Villa Rica

BOARD OR COMMISSION APPLICATION

Page 2 of 4

- a) Which Board(s) or Commission(s) do you wish to be appointed to? Library Advisory Board
- b) How long have you been a resident of the City of Villa Rica? 58 Years 3 Months
- c) Are you current with all of your financial obligations to the City? ☒ Yes ☐ No
- d) Are you willing and available to attend training sessions on-site and/or off-site if provided by the City? ☒ Yes ☐ No
- e) Available Boards and Commissions and their terms and meeting schedules are listed at the end of this application. Are you able to meet the attendance requirements of the position for which you are applying? ☒ Yes ☐ No
- f) Do you know of any circumstances that would result in you having to abstain from voting on any action before the Board or Commission? ☐ Yes ☒ No If yes, please explain:
- _____
- _____
- _____
- g) Do you or your employer, or your spouse, child, relative or their employers, do business with the City of Villa Rica ☐ Yes ☒ No If yes, please explain:
- _____
- _____
- _____
- h) Do you have any employment or contractual relationship with the City of Villa Rica that would create a continuing or frequently recurring conflict with regard to your participation on a Board or Commission? ☐ Yes ☒ No If yes, please explain:
- _____
- _____

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

As a lifelong reader, I am a frequent visitor to the Library. I have seen the recent growth and wealth of opportunities available to the citizens.

Through the advisory board, I would strive to help design goals and future projects that offer desired patron-friendly content.

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

Main Street Advisory Board

Recreation Advisory Commission

APPLICANT STATEMENT

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

Rhonda M. Gullette *Rhonda M. Gullette* *8/21/2021*
Signature Printed Name Date

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

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

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

BOARD AND COMMISSION INFORMATION

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

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

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

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

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

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

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

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

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

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

City of Villa Rica

PROCEDURES FOR BOARD OR COMMISSION APPOINTMENT

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

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

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

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



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 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

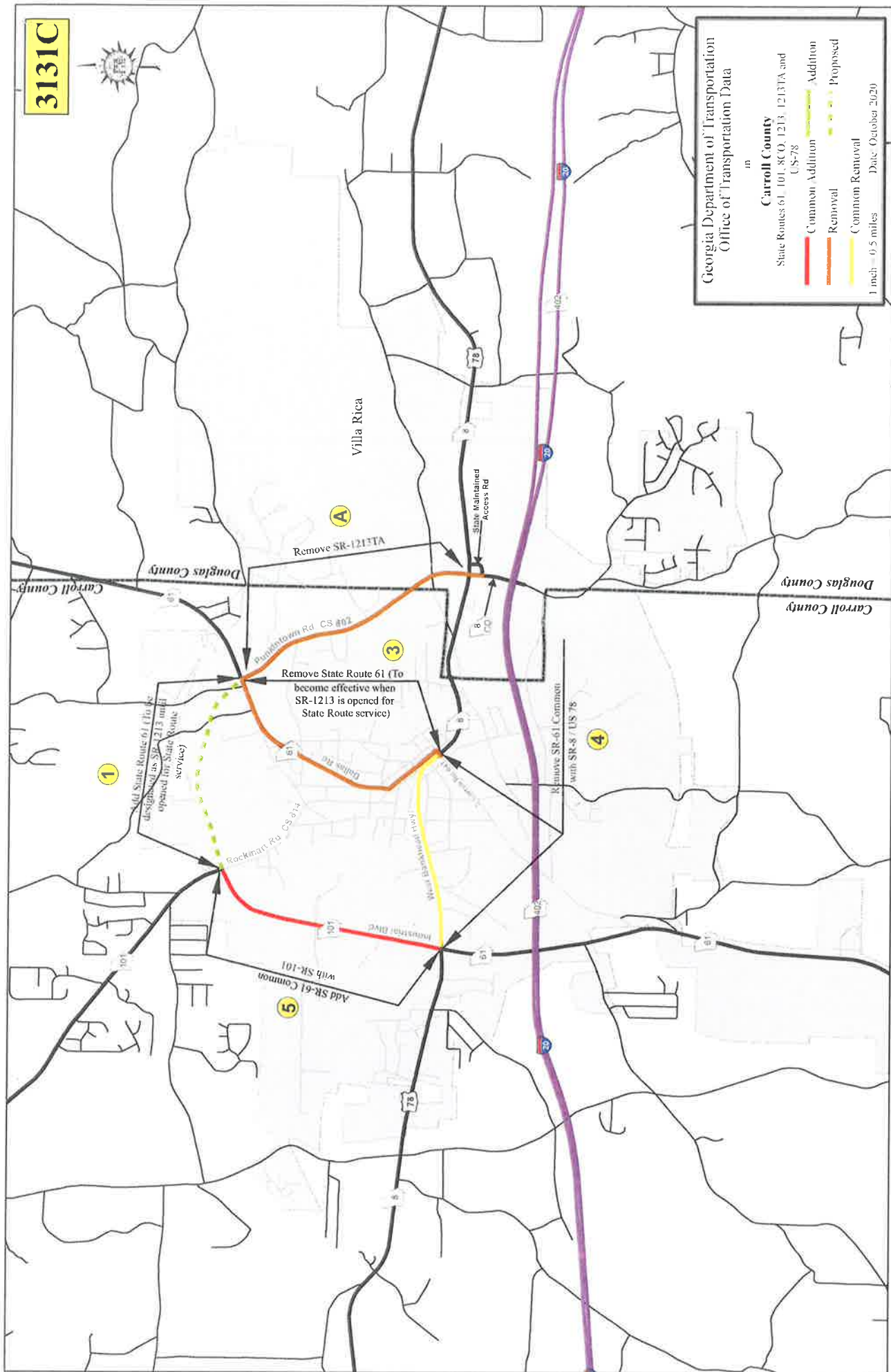
The above and foregoing Notice of Intent has been received and service of said notice acknowledged.

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

SUBJECT: 2021 Budget Amendments # 178-192

AGENDA DATE: 10-12-2021

DATE PREPARED: 09-29-21

PREPARED BY: Jennifer Hallman, Finance Director

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 fiscal year 2021 for the City pursuant to Section 2-71 of the City Charter.

Hotel/Motel Tax Fund

Source of Funds: Hotel Motel Tax - Excess Fund Balance

Matching Funds for Explore Georgia/Trip Advisor Marketing Co-op Grant. CC approved grant application in July .

Item	Account Name	Account Type		Amount
178 275-381000	Use of Fund Balance	Revenue	Increase	10,000
179 275-7540-572010	Product Development (1.5%)	Expense	Increase	10,000

Hotel/Motel Tax Fund

Source of Funds: Hotel Motel Tax

Hotel/Motel Taxes collections are more than originally budgeted; therefore, adjustments to both revenues & expenditures are needed.

Item	Account Name	Account Type		Amount
180 275-314100	Hotel/Motel Tax Revenue	Revenue	Increase	94,904
181 275-391140	Product Development Revenue	Revenue	Increase	31,853
182 275-7540-572005	Villa Rica CVB (3.5%)	Expense	Increase	55,456
183 275-7540-572010	Product Development (1.5%)	Expense	Increase	23,767
184 275-9000-611030	Transfer to General Fund (3%)	Expense	Increase	47,534

Tourism

Source of Funds: Tourism Recovery Marketing Grant

Tourism Grant to be used by Villa Rica Convention & Visitors Bureau for Billboard Advertising

Item	Account Name	Account Type		Amount
185 100-336060	Miscellaneous Grants	Revenue	Increase	5,200
186 100-7540-523300	Advertising	Expense	Increase	5,200

Streets - Resurfacing

Source of Funds: Project Improvement Fees

Project Improvement Fees collected in prior years for specific roads that were resurfaced in FY21 budget.

Item	Account Name	Account Type		Amount
187 100-381000	Use of Assigned Fund Balance	Revenue	Increase	432,136
188 100-9000-611031	Transfer Out - Capital Project Fund	Expense	Increase	432,136
189 350-391100	Transfer In - General Fund	Revenue	Increase	432,136
190 350-4210-541411	Street Improvements	Expense	Increase	432,136

Cemetery

Source of Funds: Cemetery Fees

Funds to cover additional ground maintenance at cemetery.

Item	Account Name	Account Type		Amount
191 290-349100	Cemetery Fees - Hillcrest	Revenue	Increase	1,200
192 290-4950-522240	Maintenance - Grounds	Expense	Increase	1,200

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. 178-192, 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: Modification of GEFA Loan No. DW2020024

AGENDA DATE: 10/12/2021

DATE PREPARED: 10/01/2021

PREPARED BY: Jennifer Hallman

AMOUNT:

GL ACCOUNT #:

FUNDING SOURCE: Water & Sewer Fund

BUDGETED ITEM? Yes

PURPOSE: To approve a resolution to execute a modification to the promissory note and loan agreement with Georgia Environmental Finance Authority (GEFA) for \$2,500,000 for the North Avenue Waterline Extension Project.

BACKGROUND: The Modification of Promissory Note and Loan Agreement includes:

- Description of Project (Scope of Work, Budget, and Schedule)
 - Scope of Work – no change
 - Budget – no change
 - Schedule – see changes below

<u>Action</u>	<u>Original</u>	<u>Modified</u>
Plans & Specs Submitted to EPD	March 2021	October 2021
Bid Opening	May 2021	December 2021
Notice to Proceed	July 2021	February 2022
Completion of Construction	December 2021	December 2022

- Opinion of Borrower's Counsel
- Resolution of Governing Body

STAFF RECOMMENDATION: Approval

IMPACT:

MOTION: I move to approve the resolution allowing the Mayor to execute the modification to the promissory note and loan agreement for Loan No. DW2020024 with the Georgia Environmental Finance Authority.

**DRINKING WATER STATE REVOLVING FUND, ADMINISTERED BY GEORGIA
ENVIRONMENTAL FINANCE AUTHORITY**

(a public corporation duly created and
existing under the laws of
the State of Georgia)
as Lender

and

CITY OF VILLA RICA

(a public body corporate and politic duly created and existing
under the laws of the State of Georgia)
as Borrower

MODIFICATION OF PROMISSORY NOTE AND LOAN AGREEMENT

MODIFICATION OF PROMISSORY NOTE AND LOAN AGREEMENT

THIS MODIFICATION OF PROMISSORY NOTE AND LOAN AGREEMENT (this "**Modification**") dated _____, 20____, by and between **CITY OF VILLA RICA**, Georgia, a Georgia public body corporate and politic (the "**Borrower**"), and the **DRINKING WATER STATE REVOLVING FUND, ADMINISTERED BY GEORGIA ENVIRONMENTAL FINANCE AUTHORITY**, a Georgia public corporation (the "**Lender**").

Statement of Facts

A. The Lender and the Borrower are parties to that certain Loan Agreement, dated **AUGUST 19, 2021**, as amended prior to the date hereof (as so amended, the "Loan Agreement"; all capitalized terms used in this Modification but not defined herein have the meanings given in the Loan Agreement), pursuant to which the Lender made a loan to the Borrower in accordance with the terms and conditions thereof. The Borrower's obligation to repay such loan is evidenced by that certain Promissory Note, dated **JULY 13, 2021**, as amended prior to the date hereof (as so amended, the "Note").

B. The Lender and the Borrower desire to modify the Loan Agreement and Note in certain respects in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the promises, the covenants and agreements contained herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Lender and the Borrower further agree as follows:

Statement of Terms

1. Amendments of Note - Subject to the fulfillment of the conditions precedent to the effectiveness of this Modification that are set forth below, the Note is hereby amended as follows:

Accrued interest on this Note shall be payable monthly on the first day of each calendar month until the first day of the calendar month following the earlier of (1) the Completion Date (as defined in the hereinafter defined Loan Agreement), (2) **APRIL 1, 2023**, or (3) the date that the loan evidenced by this Note is fully disbursed (the "**Amortization Commencement Date**"). Principal of and interest on this Note shall be payable in **TWO HUNDRED THIRTY-NINE (239)** consecutive monthly installments equal to the Installment Amount (as hereinafter defined), commencing on the first day of the calendar month following the Amortization Commencement Date, and continuing to be due on the first day of each succeeding calendar month thereafter, together with a final installment equal to the entire remaining unpaid principal balance of and all accrued interest on this Note, which shall be due and payable on the date that is **20 years** from the Amortization Commencement Date (the "**Maturity Date**").

2. Amendments of Loan Agreement - Subject to the fulfillment of the conditions precedent to the effectiveness of this Modification that are set forth below, the Loan Agreement is hereby amended as follows:

Section 2 (a) of the Loan Agreement is hereby amended and restated to read as follows: "The Lender agrees to advance to the Borrower, on or prior to the earlier of (1) the Completion Date (as hereinafter defined), (2) **APRIL 1, 2023**, or (3) the date that the loan evidenced by this Note is fully disbursed, the Loan in a principal amount of up to **\$2,500,000** which Loan may be disbursed in one or more advances but each such disbursement shall reduce the Lender's loan commitment hereunder and any sums advanced hereunder may not be repaid and then re-borrowed."

Exhibit A is amended and restated to read as written in the attached Exhibit A.

3. No Other Waivers or Amendments - Except for the amendments expressly set forth and referred to in Section 1 and 2 above, the Note and the Loan Agreement shall remain unchanged and in full force and effect. Nothing in this Modification is intended, or shall be construed, to constitute a novation or an accord and satisfaction of any of the obligations created by the Note.

4. Representations and Warranties - To induce the Lender to enter into this Modification, the Borrower does hereby warrant, represent, and covenant to the Lender that: (a) each representation or warranty of the Borrower set forth in the Loan Agreement is hereby restated and reaffirmed as true and correct on and as of the date hereof as if such representation or warranty were made on and as of the date hereof (except to the extent that any such representation or warranty expressly relates to a prior specific date or period), and no Event of Default has occurred and is continuing as of this date under the Loan Agreement; and (b) the Borrower has the power and is duly authorized to enter into, deliver, and perform this Modification, and this Modification is the legal, valid, and binding obligation of the Borrower enforceable against it in accordance with its terms.

5. Conditions Precedent to Effectiveness of this Modification - The effectiveness of this Modification is subject to the truth and accuracy in all material respects of the representations and warranties of the Borrower contained in Section 4 above and to the fulfillment of the following additional conditions precedent:

a. the Lender shall have received one or more counterparts of this Modification duly executed and delivered by the Borrower; and

b. the Lender shall have received (1) a signed opinion of counsel to the Borrower, substantially in the form of Exhibit E attached hereto, and (2) a certified copy of the resolution adopted by the Borrower's governing body, substantially in the form of Exhibit F attached hereto.

6. Counterparts - This Modification may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which when taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Modification to be duly executed and delivered as of the date specified at the beginning hereof

CITY OF VILLA RICA

Approved as to form:

By: _____
Borrower's Attorney

Signature: _____

Print Name: _____

Title: _____

(SEAL)

Attest Signature: _____

Print Name: _____

Title: _____

**DRINKING WATER STATE REVOLVING FUND,
ADMINISTERED BY GEORGIA
ENVIRONMENTAL FINANCE AUTHORITY**

Signature: _____
Kevin Clark
Executive Director

(SEAL)

DESCRIPTION OF THE PROJECT

SCOPE OF WORK

Recipient: CITY OF VILLA RICA

Loan Number: DW2020024

This project will upgrade water main, install hydrants and valves, and related appurtenances.

DESCRIPTION OF THE PROJECT

PROJECT BUDGET

Recipient: CITY OF VILLA RICA

Loan Number: DW2020024

ITEM	TOTAL	DWSRF
Construction	\$2,100,000	\$2,100,000
Contingency	200,000	200,000
Engineering & Inspection	200,000	200,000
Administrative/Legal	-	-
TOTAL	\$2,500,000	\$2,500,000

*The amounts shown above in each budget item are estimates. Borrower may adjust the amounts within the various budget items without prior Lender approval provided Borrower does not exceed the loan amount contained in Section 1 of the Loan Agreement. In no event shall Lender be liable for any amount exceeding the loan amount contained in Section 1 of the Loan Agreement.

DESCRIPTION OF THE PROJECT

PROJECT SCHEDULE

Recipient: CITY OF VILLA RICA

Loan Number: DW2020024

ACTION	DATE
Plans & Specs Submitted to EPD	OCTOBER 2021
Bid Opening	DECEMBER 2021
Notice to Proceed	FEBRUARY 2022
Completion of Construction	DECEMBER 2022

OPINION OF BORROWER'S COUNSEL

(Please furnish this form on Attorneys Letterhead)

Date

Drinking Water State Revolving Fund, Administered by
Georgia Environmental Finance Authority
233 Peachtree St, NE
Harris Tower, Ste 900
Atlanta, GA 30303-1506

Ladies and Gentlemen:

A legal opinion from **LAW OFFICES OF TISINGER VANCE, P.C** was delivered to you, dated **JULY 27, 2021** (the "Closing Opinion"), relating to the Loan Agreement (the "Loan Agreement"), dated **AUGUST 19, 2021** between **CITY OF VILLA RICA** (the "Borrower") and the **DRINKING WATER STATE REVOLVING FUND, ADMINISTERED BY GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the "Lender"), and the Promissory Note (the "Note"), dated **JULY 13, 2021**, of the Borrower. As counsel for the Borrower, I have examined the original of the Modification of Promissory Note and Loan Agreement (the "Modification"), between the Borrower and the Lender, the proceedings taken by the Borrower to authorize the Modification, the Closing Opinion, and such other documents, records, and proceedings as I have deemed relevant or material to render this opinion. Based upon such examination, I hereby reconfirm as of the date hereof the opinions contained in the Closing Opinion, subject to the modification that all references to the Note and the Loan Agreement (as defined in the Closing Opinion) shall be deemed to include a reference to the Modification. Nothing has come to my attention, after due investigation, that in any way might question the continuing validity and accuracy of the Closing Opinion, as modified above.

Very truly yours,

Signature

Printed Name

Date

**EXTRACT OF MINUTES
RESOLUTION OF GOVERNING BODY**

Recipient: CITY OF VILLA RICA

Loan Number: DW2020024

At a duly called meeting of the governing body of the Borrower identified above (the "Borrower") held on the _____ day of _____, _____, the following resolution was introduced and adopted.

WHEREAS, the Borrower has borrowed **\$2,500,000** from the **GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the "Lender"), pursuant to the terms of the Loan Agreement (the "Loan Agreement"), dated **AUGUST 19, 2021**, between the Borrower and the Lender; and

WHEREAS, the Borrower's obligation to repay the loan made pursuant to the Loan Agreement is evidenced by a Promissory Note (the "Note"), dated **JULY 13, 2021**, of the Borrower; and

WHEREAS, the Borrower and the Lender have determined to amend and modify the Loan Agreement, pursuant to the terms of a Modification of Promissory Note and Loan Agreement (the "Modification") between the Borrower and the Lender, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the form, terms, and conditions and the execution, delivery, and performance of the Modification are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of the Modification are in the best interests of the Borrower, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Modification, and any related documents necessary to the consummation of the transactions contemplated by the Modification.

(Signature of Person to Execute Documents)

(Print Title)

(Signature of Person to Attest Documents)

(Print Title)

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect.

Date: _____

Secretary/Clerk

(SEAL)



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Biometric Screenings
AGENDA DATE: October 12, 2021

DATE PREPARED: September 30, 2021
PREPARED BY: Sarah Andrews

AMOUNT: \$16,175
GL ACCOUNT #: 610-1540-571040
FUNDING SOURCE: Self-Funded Insurance Fund
BUDGETED ITEM? Yes

PURPOSE: To approve the use of Health 180 to perform the 52-point biometric screenings in January 2022.

BACKGROUND: Biometric screenings were done in 2018, 2019 and 2020 through Health 180. In 2018 and 2019 the screenings were done on-site. In 2020, the screenings were done off-site at LabCorp locations. We are proposing on-site screenings to be done in January 2022. This will keep the employees from having to go to the off-site labs and risk being exposed to COVID-19. Also, we will improve the screening experience by providing more private locations (offices at VPlex).

The biometric screenings help detect health issues and illnesses early on. The screenings, especially now that we have comparative data, allow us to see what the potential risks are for the employee group, as a whole. This allows us to include specific programs in our wellness plan that address those risks.

Employees who choose to not participate in the biometric screenings, will be charged a higher premium for not participating in wellness.

The screenings are \$100 per employee. Budgeting for 156 participants. (\$15,600)
Small site fee (for PD screening) is \$325.
Additional technician for screening is \$250.
=\$16,175

STAFF RECOMMENDATION: Approval.

MOTION: I move to authorize the City Manager to engage Health 180 for biometric screenings for an amount not to exceed \$16,175.



BIOMETRIC SCREENING PRICE SHEET

STANDARD – On-Site Event Screenings

52-Point Biometric Screening \$100.00

HbA1c Reflex: \$10 for any glucose results over 110

Biometric Screenings NOT had below the minimums will be charged at a reduced fee of \$75.00 per screening.

Off-Site Biometric Screenings: \$110.00 per screening

(Screenings completed at a LabCorp or contracted lab.)

ADD-ON OPTIONS*

(PRICE PER SCREENING)

PSA	\$25
Thyroid Panel plus TSH	\$30
Nicotine/Cotinine	\$25
Vitamin D	\$40
HSCRIP	\$23
Testosterone	\$31
Vitamin B	\$38
TIBC	\$18
CA125	\$34
B12	\$31

* Other tests available upon request

ADDITIONAL FEES

Mileage Fee: A .50 per mile travel fee will apply if location is more than 40 miles roundtrip from affiliated locations or technicians.

Hotel Fee: If extensive travel or scheduling needs warrant hotel stays, hotels will be booked with 2 technicians to a room (when gender permits) with \$130 maximum per night.

Small Site Fee: \$325 fee for locations with fewer than 25 participants

Premium Hours: \$25 per hour per technician charge for events on weekends, holidays, and between the hours of 7pm and 7am.

Additional Technician: \$250 fee to add an additional technician to shorten the length of an event

Registration Person: \$200 fee per event to have a registration person

Mailing of Results: \$7 per packet (entire population will be mailed)

CANCELLATION POLICY

If client cancels a booked screening more than two weeks prior to screening date, client will be responsible for all non-refundable hard costs (i.e. hotel bookings, shipping, staffing, organization time, supplies, etc.) that were incurred up to the date of notification.

If client cancels a booked screening within two weeks of the screening date, client will be responsible for 100% of charges and expenses for booked screening.



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Adoption of a Revised Resolution Approving the Issuance of Tax-Exempt Revenue Bonds by the DDA

AGENDA DATE: October 12, 2021
PREPARED BY: Tom Barber

DATE PREPARED: October 5, 2021

AMOUNT: n/a
FUNDING SOURCE: n/a

GL ACCOUNT #: n/a
BUDGETED ITEM? n/a

PURPOSE: To adopt a revised resolution approving the issuance of tax-exempt Revenue Bonds by Arbours of Villa Rica, LLC.

BACKGROUND: The Villa Rica Downtown Development Authority adopted a resolution authorizing the issuance of up to \$22 million in revenue bonds to finance the acquisition, construction, furnishing and equipping of a rental housing community. The DDA recently approved a revised resolution authorizing the issuance of up to \$25 million in revenue bonds. The City Council must give public approval of the issuance in order for the interest on the proposed Bonds to be excluded from the holders' gross incomes for federal income tax purposes.

STAFF RECOMMENDATION: Staff recommends adoption of the revised resolution.

IMPACT: Receiving tax-exempt status should enable the bonds to be issued at a lower interest rate.

MOTION: I move to adopt the attached resolution and to authorize the Mayor and City Clerk to sign and certify the accompanying document.

Alisa Doyal

From: Monica Sharp <msharp@tisingervance.com>
Sent: Tuesday, October 5, 2021 8:31 AM
To: Alisa Doyal; Tom Barber; C. David Mecklin
Cc: Stacey Blackmon
Subject: TEFRA Resolution - City of VR re Issuance of Revenue Bonds by VRDDA.PDF
Attachments: TEFRA Resolution - City of VR re Issuance of Revenue Bonds by VRDDA.PDF

Good morning,

Attached please find the TEFRA Resolution to be adopted at the next City Council meeting.

Alisa, I will mail the originals to you.

Thank you,

Monica Sharp
Legal Assistant to
Stacey L. Blackmon
and Joel W. Tisinger

TisingerVance^{PC}

Attorneys at Law

100 Wagon Yard Plaza

Carrollton, GA 30117

p: 770.214.5153 f: 770.830.0477

msharp@tisingervance.com | [vcard](#) | www.tisingervance.com

[Facebook](#) | [Instagram](#) | [Twitter](#)



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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
VILLA RICA, GEORGIA APPROVING THE ISSUANCE OF
REVENUE BONDS BY THE VILLA RICA DOWNTOWN
DEVELOPMENT AUTHORITY

WHEREAS, the Villa Rica Downtown Development Authority (the "Authority") has previously adopted a resolution (the "Resolution") authorizing the issuance of its revenue bonds for the purposes described in the Resolution and herein; and

WHEREAS, on at least seven days' notice published in *The Times-Georgian*, a public hearing was held at the Holt-Bishop Justice Center, 101 Main Street, Villa Rica, Georgia 30108 on September 27, 2021 at 6:00 p.m. (the "Public Hearing"), concerning a proposed issuance by the Authority of its revenue bonds or notes (the "Bonds"), in an aggregate principal amount not to exceed \$25,000,000; and

WHEREAS, a Report of Hearing Officer with respect to the Public Hearing is attached hereto;

WHEREAS, the proceeds of the sale of the proposed Bonds, when and if issued, are to be used, along with other funds, for the benefit of Arbours at Villa Rica, LLC, a Georgia limited liability company (the "Borrower"), to finance the acquisition, construction, furnishing and equipping of an approximately 192 unit rental housing community, to be located on approximately 13.46 acres on the north side of Anderson Road near the intersection of Anderson Road and Louise Lane in Villa Rica, Georgia (the "Project"); and

WHEREAS, the proposed Bonds, when and if issued, will be a limited obligation of the Authority and do not constitute a general obligation of the State of Georgia, the City of Villa Rica, Georgia (the "City"), or the Authority, nor are the Bonds payable in any manner by taxation, but are payable solely from the payments made by or on behalf of the Authority, pursuant to an agreement between the Authority and the Borrower, which are pledged to the payment of the Bonds; and no performance audit or performance review shall be conducted with respect to such bond issue; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides, in effect, that in order for the interest on the proposed Bonds to be excluded from the holders' gross incomes for federal income tax purposes, the "public approval" requirements of said section must be complied with; and

WHEREAS, the location of the Project is entirely within the City, and the City Council of the City of Villa Rica (the "City Council") constitutes the elected legislative body of the City and is a proper body for granting the necessary public approval; and

WHEREAS, the Authority has requested that the City Council approve the issuance of the Bonds for the purposes stated above, the nature and location of the Project, and the plan of financing for the Project with the Bonds; and

WHEREAS, the City Council finds and determines that it is in the public interest of the City Council to grant such approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows:

Section 1. The issuance of the Bonds by the Authority for the benefit of the Borrower in an aggregate principal amount not to exceed \$25,000,000 for the above-described purposes is hereby approved for purposes of Section 147(f) of the Code.

Section 2. Such approval by the City Council does not constitute any representation by the City to the prospective purchasers of the Bonds as to the creditworthiness of the Borrower, or the economic feasibility of the Project nor does it create, either expressly or by implication, any obligation on the part of the City for the payment of the Bonds or debt service thereon, such Bonds and debt service thereon being payable solely from the sources described above.

Section 3. This Resolution shall take effect immediately upon its adoption.

ADOPTED this 12th day of October 2021.

CITY OF VILLA RICA, GEORGIA

By: _____
Gil McDougal, Mayor

ATTEST:

City Clerk

[SEAL]

HEARING OFFICER REPORT

NOTICE OF PUBLIC HEARING ON
PROPOSED REVENUE BOND FINANCING BY THE
VILLA RICA DOWNTOWN DEVELOPMENT AUTHORITY
FOR THE BENEFIT OF
ARBOURS AT VILLA RICA, LLC

YOU ARE HEREBY NOTIFIED that on September 27, 2021 at 6:00 p.m., at the offices of Holt-Bishop Justice Center, 101 Main Street, Villa Rica, Georgia 30108, a public hearing will be held with respect to the issuance by the Villa Rica Downtown Development Authority (the "Issuer") of its revenue bonds or notes in an aggregate principal amount not to exceed \$25,000,000 (the "Bonds").

The proceeds of the Bonds will be loaned to Arbours at Villa Rica, LLC, or any affiliate thereof, (the "Company") for the purpose of financing the acquisition, construction, furnishing and equipping of an approximately 192 unit rental housing community, to be located on approximately 13.46 acres on the north side of Anderson Road near the intersection of Anderson Road and Louise Lane in Villa Rica, Georgia, as well as funding any reserves and paying costs of issuance related to the Bonds (collectively, the "Project").

The Bonds will not constitute an indebtedness or obligation of the State of Georgia or of any county, municipal corporation or political subdivision thereof, but will be payable solely from the revenues derived from the Company and pledged to the payment thereof.

Any person interested in the proposed issuance of the Bonds may appear and be heard.

VILLA RICA DOWNTOWN DEVELOPMENT
AUTHORITY

REPORT OF HEARING OFFICER

The undersigned Hearing Officer the Villa Rica Downtown Development Authority (the "Issuer") HEREBY CERTIFIES, as follows:

(1) A public hearing (the "Hearing") was duly held on September 27, 2021 at 6:00 p.m., at 42 Community Square Boulevard, Villa Rica, Georgia 30180, pursuant to proper notice given in accordance with law as to the time and place of such hearing prior to such hearing. The Hearing was open to the public. The time of the Hearing and the room in which the Hearing was held provided a reasonable opportunity for persons of differing views to appear and be heard. Attached as Exhibit A is a list of the people that attended the Hearing. I announced the commencement of the Hearing on the issuance of the Bonds referred to in the Notice for the Company. Attached as Exhibit B is a summary of the comments made by attendees of the Hearing.

(2) Notice of the Hearing was published in a newspaper having general circulation in the City of Villa Rica, Georgia (the "Notice") at least 7 days prior to the Hearing. A copy of the Notice has been filed and appears of record in the Minute Book of the Issuer and is attached hereto together with an Affidavit of Publication as Exhibit C.

(3) Such Bonds will not constitute an indebtedness or obligation of the State of Georgia or of any county, municipal corporation or political subdivision thereof, but will be payable solely from the revenues derived from the Company and pledged to the payment thereof.

Witness my hand on September 27, 2021.


Hearing Officer

Exhibits Attached:

Exhibit "A" List of Attendees
Exhibit "B" Transcript of Hearing
Exhibit "C" Publisher's Affidavit

EXHIBIT "A"

LIST OF ATTENDEES

Members and Staff of the Villa Rica Downtown Development Authority:

Chairman Jerry Doyal

Member Michael Young

Staff Janet Chumley

DDA Attorney Stacey Blackmon

Bond Counsel David Williams via Zoom

EXHIBIT "B"

SUMMARY OF PUBLIC COMMENTS AT HEARING

None

EXHIBIT "C"

PUBLISHER'S AFFIDAVIT

57376072.v3

AFFP

9/27 HEARING FILE# 207363

Affidavit of Publication

STATE OF GEORGIA } SS
COUNTY OF CARROLL }

Melissa Wilson, being duly sworn, says:

That she is Ad Director of the Times-Georgian, a newspaper of general circulation, printed and published in Carrollton, Carroll County, Georgia; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

September 18, 2021

Publication Fees: \$ 42.00

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 18th day of September 2021.

NOTICE OF PUBLIC
HEARING ON
PROPOSED REVENUE BOND FINANCING BY THE
VILLA RICA DOWNTOWN
DEVELOPMENT AUTHORITY
FOR THE BENEFIT OF
ARBOURS AT VILLA RICA, LLC

YOU ARE HEREBY NOTIFIED that on September 27, 2021 at 6:00 p.m., at the offices of Holt-Bishop Justice Center, 101 Main Street, Villa Rica, Georgia 30108, a public hearing will be held with respect to the issuance by the Villa Rica Downtown Development Authority (the "Issuer") of its revenue bonds or notes in an aggregate principal amount not to exceed \$25,000,000 (the "Bonds").

The proceeds of the Bonds will be loaned to Arbours at Villa Rica, LLC, or any affiliate thereof, (the "Company") for the purpose of financing the acquisition, construction, furnishing and equipping of an approximately 192 unit rental housing community, to be located on approximately 13.46 acres on the north side of Anderson Road near the intersection of Anderson Road and Louise Lane in Villa Rica, Georgia, as well as funding any reserves and paying costs of issuance related to the Bonds (collectively, the "Project").

The Bonds will not constitute an indebtedness or obligation of the State of Georgia or of any county, municipal corporation or political subdivision thereof, but will be payable solely from the revenues derived from the Company and pledged to the payment thereof.

Any person interested in the proposed issuance of the Bonds may appear and be heard.

VILLA RICA DOWNTOWN DEVELOPMENT AUTHORITY



70021996 70166782

BUTLER SNOW LLP
1170 PEACHTREE STREET NE
STE 1900
ATLANTA, GA 30309

CLERK'S CERTIFICATE

I, the undersigned Clerk of the City Council of the City of Villa Rica, Georgia (the "City"), DO HEREBY CERTIFY that the foregoing pages of typewritten matter pertaining to the approval of the issuance of the Villa Rica Downtown Development Authority of its revenue bonds constitute a true and correct copy of the resolution adopted on October 12, 2021, by the City Council of the City at a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of such resolution appears of record in the Minute Book of the City Council which is in my custody and control.

GIVEN under my hand and the official seal of the City, this 12th day of October 2021.

City Clerk

[SEAL]

57376892.v3



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Resolution to Approve Agreement for Roundabout Lighting Assistance at Intersection of Highway 78 and Conners Road.

AGENDA DATE: October 12, 2021

DATE PREPARED: October 06, 2021

PREPARED BY: Tom Barber

AMOUNT: undetermined

GL ACCOUNT #: n/a

FUNDING SOURCE: General Fund

BUDGETED ITEM? Not at this time

PURPOSE: To adopt a resolution authorizing the City to enter into an agreement with the Georgia Department of Transportation related to the installation of lighting at the proposed roundabout at the intersection of Highway 78 and Conners Road.

BACKGROUND: The Georgia Department of Transportation engaged an engineering firm to study the intersection of Highway 78 and Conners Road. The resulting recommendations include the construction of a roundabout. GDOT will design and install the lighting at the roundabout but the City must commit to pay for electricity and maintenance of the lighting.

STAFF RECOMMENDATION: Staff recommends adoption of the resolution authorizing us to enter into the power and maintenance agreement.

IMPACT: The goal of the engineer's study was to improve the safety of the Highway 78/Conners Road intersection.

MOTION: I move to adopt the resolution related to the lighting of the proposed roundabout at the intersection of Highway 78 and Conners Road.

RESOLUTION
CITY OF VILLA RICA

WHEREAS, the City of Villa Rica by and through action of its City Council does wish to enter into an Agreement with the Georgia Department of Transportation related to the installation of roundabout lighting as part of the SR 8 @ CS 352/CS 968/Conners Road project.

NOW, THEREFORE BE IT HEREBY RESOLVED that the City enter into that Agreement by and between the Georgia Department of Transportation and the City of Villa Rica which is attached hereto.

IT IS FURTHER RESOLVED that the Mayor of the City is authorized to execute this Agreement on behalf of the City.

SO RESOLVED on this the _____ day of October, 2021.

Gil McDougal, Mayor

Attested to:

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



Russell R. McMurtry, 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,

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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

EXAMPLE

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

RECOMMENDED:

STATE
DOT

CITY

CITY OF VILLA RICA

BY:

Mayor

(SEAL)

GA DEPARTMENT OF TRANSPORTATION

WITNESS

BY DO NOT SIGN
Commissioner

Notary Public

(SEAL)

This Agreement approved by the City Council at a meeting held at

this ____ day of _____,

20__.

ATTEST:

DO NOT SIGN
Treasurer

City Clerk

To complete this, please use a physical address such as 571 W Bankhead Hwy, Villa Rica, GA 30180.



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.

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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

AGREEMENT
BETWEEN
GEORGIA DEPARTMENT OF TRANSPORTATION
AND
CITY OF VILLA RICA

This Agreement is made and entered into this _____ day of _____, 20__,
by and between the GEORGIA DEPARTMENT OF TRANSPORTATION, an agency of the State of
Georgia, hereinafter called the **DEPARTMENT**, and the CITY OF VILLA RICA, GEORGIA acting
by and through its City Council, hereinafter called the **CITY**.

WHEREAS, the CITY has represented to the DEPARTMENT a desire to obtain roundabout
lighting as part of the **SR 8 @ CS 352/CS 968/CONNERS ROAD** project, said lighting to be
installed under P.I. No. 0015679, Douglas County;

WHEREAS, the CITY has represented to the DEPARTMENT a desire to participate in: 1)
Providing the Energy and 2) the Operation and Maintenance of said lighting system at the aforesaid
location, and the DEPARTMENT has relied upon such representation; and

WHEREAS, the DEPARTMENT has indicated a willingness to fund the materials and installation for the said lighting system at the aforesaid location, with funds of the DEPARTMENT, funds apportioned to the DEPARTMENT by the Federal Highway Administration under Title 23, United States Code, Section 104, or a combination of funds from any of the above sources.

NOW, THEREFORE, in consideration of the mutual promises made and of the benefits to flow from one to the other, the DEPARTMENT and the CITY hereby agree each with the other as follows:

1. The DEPARTMENT or its assigns shall cause the installation of all materials and equipment necessary for roundabout lighting as part of the **SR 8 @ CS 352/CS 968/CONNERS ROAD** project, said lighting to be installed under P.I. No. 0015679, Douglas County as shown on Attachment "A" attached hereto and made a part hereof.

2. Upon completion of installation of said lighting system, and acceptance by the DEPARTMENT, the CITY shall assume full responsibility for the operation, the repair and the maintenance of the entire lighting system, including but not limited to repairs of any damages, replacement of lamps, ballasts, luminaires, lighting structures, associated equipment, conduit, wiring and service equipment, and the requirements of the Georgia Utility Facility Protection Act. The CITY further agrees to provide and pay for all the energy required for the operation of said lighting system.

3. The DEPARTMENT shall retain ownership of all materials and various components of the entire lighting system. The CITY, in its operation and maintenance of the lighting system, shall not in any way alter the type or location of any of the various components which make up the entire lighting system without prior written approval from the DEPARTMENT.

4. This Agreement is considered as continuing for a period of fifty (50) years from the date of execution of this Agreement. The DEPARTMENT reserves the right to terminate this Agreement, at any time for just cause, upon thirty (30) days written notice to the CITY.

5. It is understood by the CITY that the DEPARTMENT has relied upon the CITY'S representation of providing for the energy, maintenance, and operation of the lighting represented by this Agreement; therefore, if the CITY elects to de-energize or fails to properly maintain or to repair the lighting system during the term of this Agreement, the CITY shall reimburse the DEPARTMENT the materials cost for the lighting system. If the CITY elects to de-energize or fails to properly maintain any individual unit within the lighting system, the CITY shall reimburse the DEPARTMENT for the material cost for the individual unit which will include all costs for the pole, luminaires, foundations, and associated wiring. The DEPARTMENT will provide the CITY with a statement of material costs upon completion of the installation.

The covenants herein contained shall, except as otherwise provided accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

RECOMMENDED:

CITY OF VILLA RICA

BY:



Mayor

(SEAL)

GA DEPARTMENT OF TRANSPORTATION

BY _____
Commissioner

(SEAL)

WITNESS

Notary Public

This Agreement approved by the City Council at a meeting held at

this _____ day of _____,

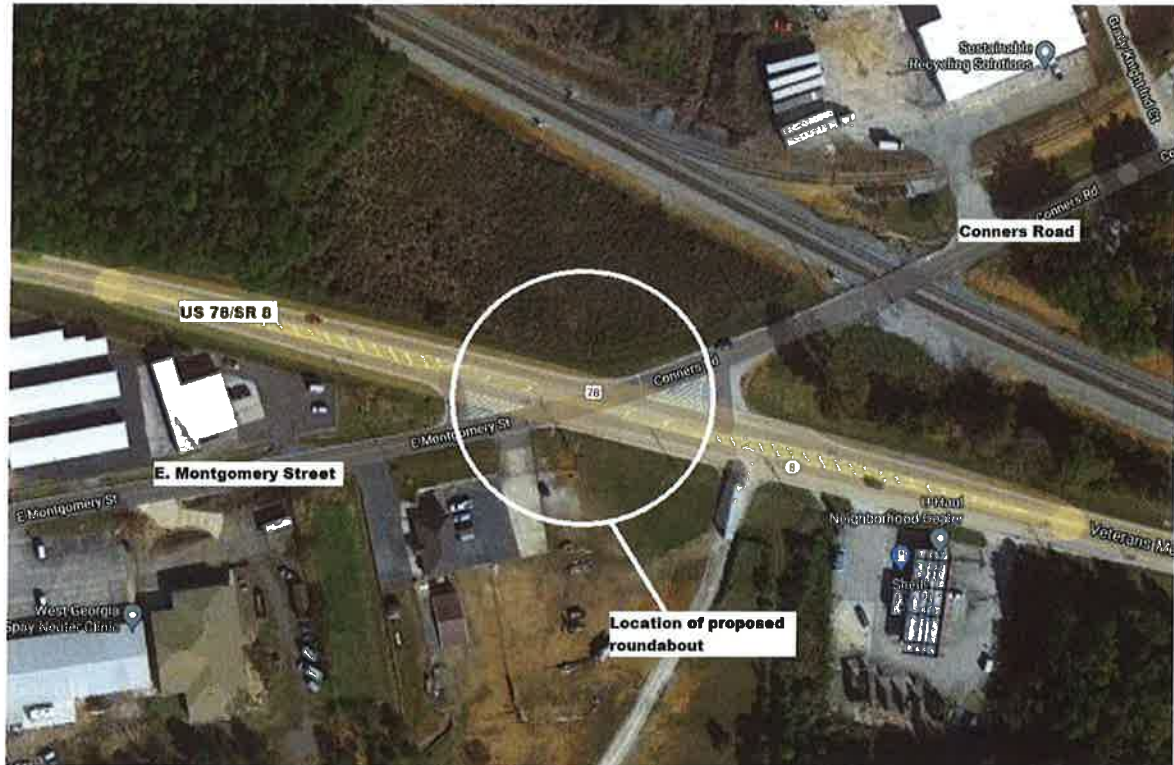
20__.

ATTEST:

Treasurer

City Clerk

Attachment "A"



Project Location Map

SR 8 @ CS 352/CS 968/CONNERS ROAD
City of Villa Rica (Douglas County)
P.I. No. 0015679

AGREEMENT
BETWEEN
GEORGIA DEPARTMENT OF TRANSPORTATION
AND
CITY OF VILLA RICA

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by and through its City Council, hereinafter called the **CITY**.

WHEREAS, the CITY has represented to the DEPARTMENT a desire to obtain roundabout
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installed under P.I. No. 0015679, Douglas County;

WHEREAS, the CITY has represented to the DEPARTMENT a desire to participate in: 1)
Providing the Energy and 2) the Operation and Maintenance of said lighting system at the aforesaid
location, and the DEPARTMENT has relied upon such representation; and

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NOW, THEREFORE, in consideration of the mutual promises made and of the benefits to flow from one to the other, the DEPARTMENT and the CITY hereby agree each with the other as follows:

1. The DEPARTMENT or its assigns shall cause the installation of all materials and equipment necessary for roundabout lighting as part of the **SR 8 @ CS 352/CS 968/CONNERS ROAD** project, said lighting to be installed under P.I. No. 0015679, Douglas County as shown on Attachment "A" attached hereto and made a part hereof.

2. Upon completion of installation of said lighting system, and acceptance by the DEPARTMENT, the CITY shall assume full responsibility for the operation, the repair and the maintenance of the entire lighting system, including but not limited to repairs of any damages, replacement of lamps, ballasts, luminaires, lighting structures, associated equipment, conduit, wiring and service equipment, and the requirements of the Georgia Utility Facility Protection Act. The CITY further agrees to provide and pay for all the energy required for the operation of said lighting system.

3. The DEPARTMENT shall retain ownership of all materials and various components of the entire lighting system. The CITY, in its operation and maintenance of the lighting system, shall not in any way alter the type or location of any of the various components which make up the entire lighting system without prior written approval from the DEPARTMENT.

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The covenants herein contained shall, except as otherwise provided accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

RECOMMENDED:

CITY OF VILLA RICA

BY:



Mayor

(SEAL)

GA DEPARTMENT OF TRANSPORTATION

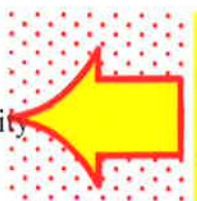
BY _____
Commissioner

(SEAL)

WITNESS

Notary Public

This Agreement approved by the City Council at a meeting held at



this _____ day of _____,

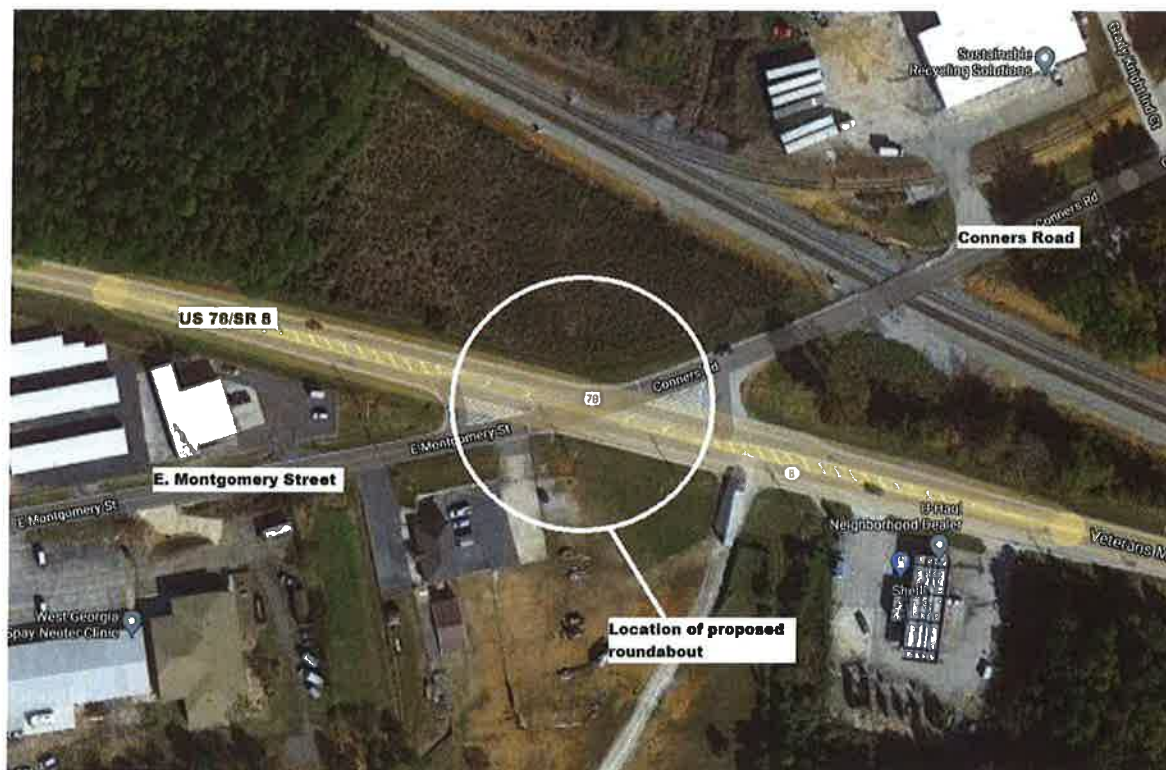
20__.

ATTEST:

Treasurer

City Clerk

Attachment "A"



Project Location Map

**SR 8 @ CS 352/CS 968/CONNERS ROAD
City of Villa Rica (Douglas County)
P.I. No. 0015679**

AGREEMENT
BETWEEN
GEORGIA DEPARTMENT OF TRANSPORTATION
AND
CITY OF VILLA RICA

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by and between the GEORGIA DEPARTMENT OF TRANSPORTATION, an agency of the State of
Georgia, hereinafter called the **DEPARTMENT**, and the CITY OF VILLA RICA, GEORGIA acting
by and through its City Council, hereinafter called the **CITY**.

WHEREAS, the CITY has represented to the DEPARTMENT a desire to obtain roundabout
lighting as part of the **SR 8 @ CS 352/CS 968/CONNERS ROAD** project, said lighting to be
installed under P.I. No. 0015679, Douglas County;

WHEREAS, the CITY has represented to the DEPARTMENT a desire to participate in: 1)
Providing the Energy and 2) the Operation and Maintenance of said lighting system at the aforesaid
location, and the DEPARTMENT has relied upon such representation; and

WHEREAS, the DEPARTMENT has indicated a willingness to fund the materials and installation for the said lighting system at the aforesaid location, with funds of the DEPARTMENT, funds apportioned to the DEPARTMENT by the Federal Highway Administration under Title 23, United States Code, Section 104, or a combination of funds from any of the above sources.

NOW, THEREFORE, in consideration of the mutual promises made and of the benefits to flow from one to the other, the DEPARTMENT and the CITY hereby agree each with the other as follows:

1. The DEPARTMENT or its assigns shall cause the installation of all materials and equipment necessary for roundabout lighting as part of the **SR 8 @ CS 352/CS 968/CONNERS ROAD** project, said lighting to be installed under P.I. No. 0015679, Douglas County as shown on Attachment "A" attached hereto and made a part hereof.

2. Upon completion of installation of said lighting system, and acceptance by the DEPARTMENT, the CITY shall assume full responsibility for the operation, the repair and the maintenance of the entire lighting system, including but not limited to repairs of any damages, replacement of lamps, ballasts, luminaires, lighting structures, associated equipment, conduit, wiring and service equipment, and the requirements of the Georgia Utility Facility Protection Act. The CITY further agrees to provide and pay for all the energy required for the operation of said lighting system.

3. The DEPARTMENT shall retain ownership of all materials and various components of the entire lighting system. The CITY, in its operation and maintenance of the lighting system, shall not in any way alter the type or location of any of the various components which make up the entire lighting system without prior written approval from the DEPARTMENT.

4. This Agreement is considered as continuing for a period of fifty (50) years from the date of execution of this Agreement. The DEPARTMENT reserves the right to terminate this Agreement, at any time for just cause, upon thirty (30) days written notice to the CITY.

5. It is understood by the CITY that the DEPARTMENT has relied upon the CITY'S representation of providing for the energy, maintenance, and operation of the lighting represented by this Agreement; therefore, if the CITY elects to de-energize or fails to properly maintain or to repair the lighting system during the term of this Agreement, the CITY shall reimburse the DEPARTMENT the materials cost for the lighting system. If the CITY elects to de-energize or fails to properly maintain any individual unit within the lighting system, the CITY shall reimburse the DEPARTMENT for the material cost for the individual unit which will include all costs for the pole, luminaires, foundations, and associated wiring. The DEPARTMENT will provide the CITY with a statement of material costs upon completion of the installation.

The covenants herein contained shall, except as otherwise provided accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day
and year first above written.

RECOMMENDED:

CITY OF VILLA RICA

BY:



Mayor

(SEAL)

GA DEPARTMENT OF TRANSPORTATION

BY _____
Commissioner

(SEAL)

WITNESS

Notary Public

This Agreement approved by the City
Council at a meeting held at



this _____ day of _____,

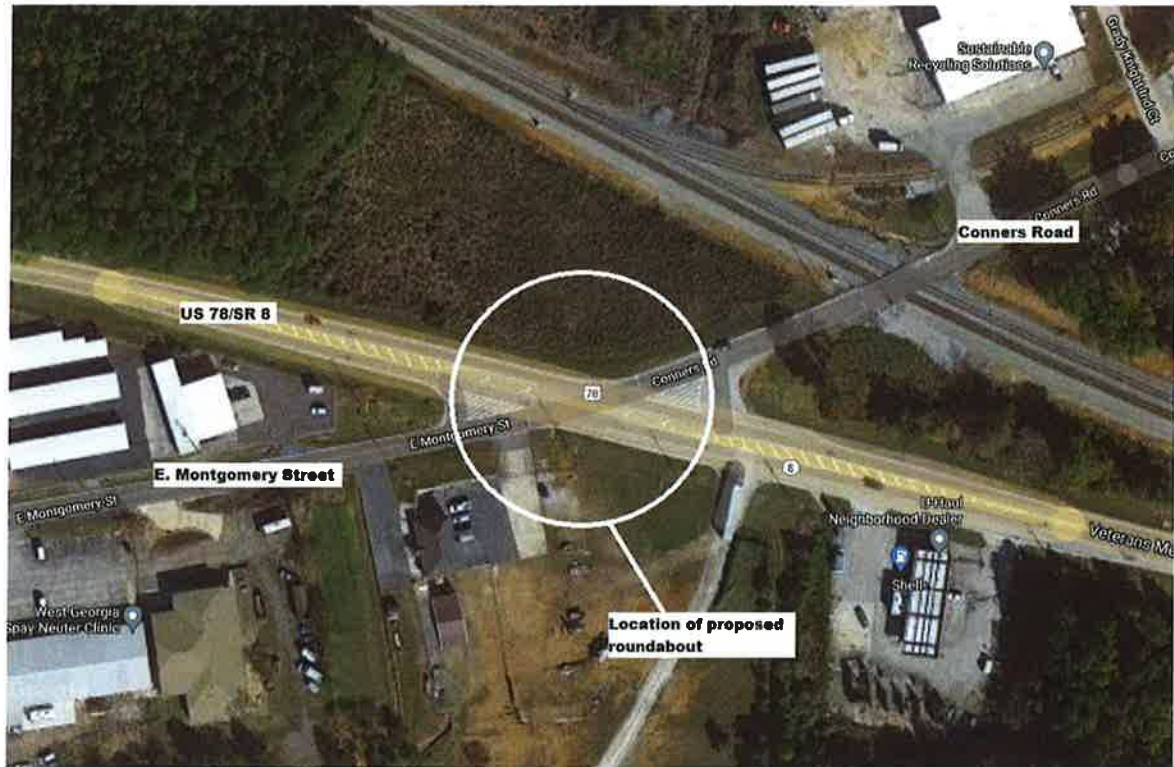
20__.

ATTEST:

Treasurer

City Clerk

Attachment "A"



Project Location Map

**SR 8 @ CS 352/CS 968/CONNERS ROAD
City of Villa Rica (Douglas County)
P.I. No. 0015679**