

COMMISSION
JOHN HANNABACH, CHAIR
TOM FLOWERS, VICE CHAIR
DOUGLAS LANG
DAVID RODGERS
ASHLEY HEAD

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: THERESA CAMPBELL
CITY ATTORNEY: C. DAVID MECKLIN

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

PLANNING AND ZONING MEETING AGENDA

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

October 17, 2023 | 6:00 PM

Meeting Call to Order (Chairman John Hannabach)

Adoption of the Agenda (Chairman John Hannabach)

A. Old Business

1. Meeting Minutes 8-15-2023

B. New Business

1. Rezoning Text Amendment- 01460250021 & 01460250019 (Douglas County) to add "Business, Wholesale" as a permitted use in Section 4.14 of the Ordinance.

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.)

C. Adjournment (Chairman)

City of Villa Rica



REGULAR SESSION, PLANNING & ZONING MEETING MINUTES

Community Development, 1605 Carrollton Villa Rica Hwy.

Tuesday, August 15th, 2023

Present: Chairman John Hannabach, Commissioner Nancy Mims, Commissioner Douglas Lang.
(4 guests).

Absent: Commissioner David Rogers, Vice Chairman Tom Flowers.

(Chairman John Hannabach) **Called Meeting to Order at 6:00 PM**

Adoption of the Agenda

RESULT:	APPROVED 3/0
MOVER:	Commissioner Douglas Lang
SECONDER:	Chairman John Hannabach
AYES:	Chairman John Hannabach, Commissioner Nancy Mims, and Commissioner Douglas Lang

A. Old Business

1. Minutes (7-18-2023)

Commissioner Nancy Mims removed herself since she was absent last meeting.

RESULT:	APPROVED 2/0
MOVER:	Commissioner Douglas Lang
SECONDER:	Chairman John Hannabach
AYES:	Chairman John Hannabach, and Commissioner Douglas Lang

2. Presentation to Commissioners – 4 Slides

3. Ordinance Revision – Section 8.27 Liquor Stores, Package Stores, and Liquor Outlets.

4. Chapter 1-7 Revision - In General.

Removal of- ix) Completely in Section 2.05.

RESULT:	APPROVED 3/0
MOVER:	Commissioner Nancy Mims
SECONDER:	Commissioner Doug Lang
AYES	Chairman John Hannabach, Commissioner Nancy Mims, and Commissioner Douglas Lang

5. Section 9.05 Revision - Warehouse, Distribution, and Logistics Design Standards.

RESULT:	APPROVED 2/1
MOVER:	Commissioner Nancy Mims
SECONDER:	Chairman John Hannabach
AYES:	Chairman John Hannabach, and Commissioner Nancy Mims
NAYS:	Commissioner Douglas Lang

6. Proposed Section 13.01- Definition Changes.

RESULT:	APPROVED 3/0
MOVER:	Commissioner Douglas Lang
SECONDER:	Commissioner Nancy Mims
AYES	Chairman John Hannabach, Commissioner Nancy Mims, and Commissioner Douglas Lang

B. New Business

C. Staff Comments

D. Public Comments

E. Adjournment 6:57 PM

RESULT:	APPROVED 3/0
MOVER:	Commissioner Nancy Mims
SECONDER:	Commissioner Douglas Lang
AYES:	Chairman John Hannabach, Commissioner Nancy Mims, and Commissioner Douglas Lang

Planning & Zoning Chairman

Community Development Director



**APPLICATION FOR
UDC TEXT AMENDMENT / ZONING MAP AMENDMENT**

☒ **UDC TEXT AMENDMENT** ☐ **ZONING MAP AMENDMENT**

ANNEXATION

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

Date of Application: 08/25/2023

APPLICANT

Applicant Name: Arpit Realty, LLC

Address: 900 Hillwood Circle City: Villa Rica State: GA Zip: 30180

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

Agent Name: Charles S. Conerly

Address: 402 Newnan Street City: Carrollton State: GA Zip: 30117

Phone: (770) 834 - 1160 Fax: (770) 834 - 1190 Email: cconerly@smithconerly.com

Owner Name (If different from applicant): _____

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

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

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

REZONING REQUEST

C2 (Commercial Medium Density)

Existing Zoning: (Douglas County) Requested Zoning: Same

Property Address: Old Liberty Rd & Mirror Lake Blvd. Nearest Intersection: Same

Present Use of Property: Undeveloped

Proposed Use: Business Wholesale

Size of Tract: 2.14 (total) Land Lot Numbers: 146 & 175 Districts: 2nd Douglas County

Gross Density: TBD units per acre Net Density: TBD units per acre

Property Tax Parcel Number: 01460250021 & 01460250019 Douglas County

(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: _____



CASE # _____
UDC TEXT/ZONING MAP

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

I, Charles S. Conerly, as attorney for Arpit Realty, LLC, hereby state that all of the above statements and statements contained in the documents submitted with this application are true.



Signature of Applicant

08/25/23

Date

Required Materials to Accompany the Application for Zoning Map Amendment:

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

Required Materials to Accompany the Application for UDC Text Amendment:

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

Proposed text amendment;

Written statement describing reasons for the proposed text amendment; and any other exhibits as may be required by the Community Development Director.



CASE # _____
UDC TEXT/ZONING MAP

Disclosure of Campaign Contributions

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

Has the applicant¹ made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the City Council or Planning Commission who will consider the application?

Yes _____ No X _____

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

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

We certify that the foregoing information is true and correct, this 25th day of August, 2023.

Arpit Realty, LLC

Applicant's Name – Printed

Signature of Applicant

Charles S. Conerly

Applicant's Attorney, if applicable – Printed

Signature of Applicant's Attorney, if applicable

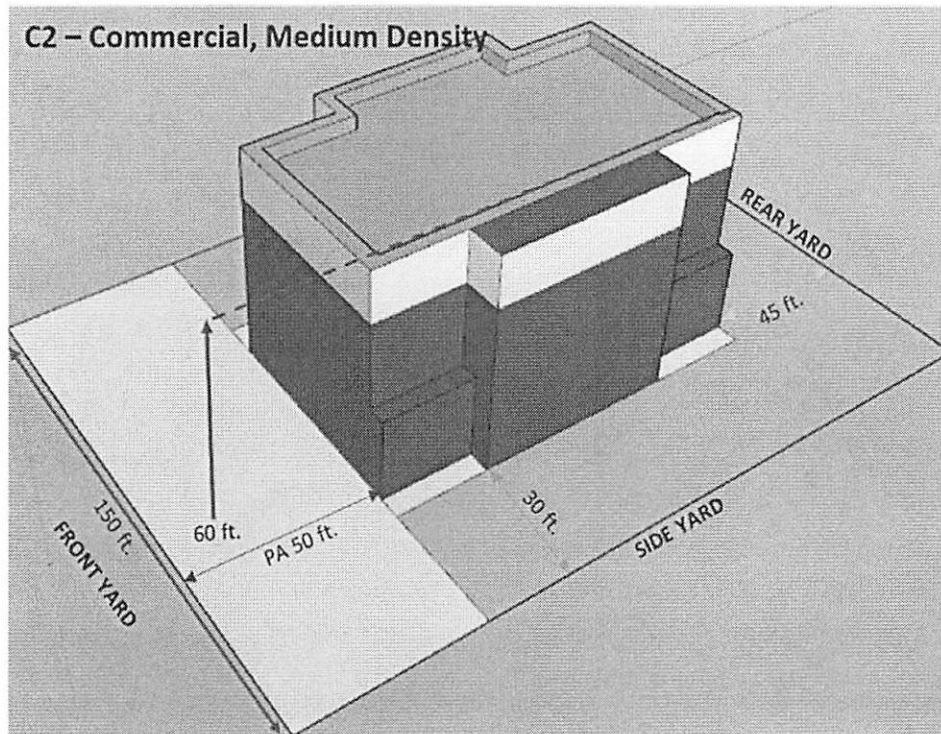
Sworn to and subscribed before me this 25th day of August, 2023

Karen Earnest
Notary Public

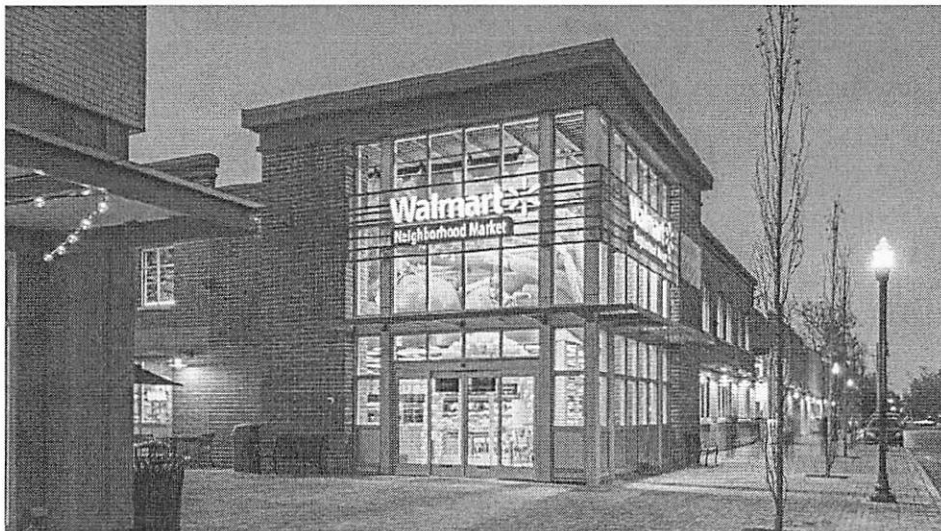


1. Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

Sec. 4.14. C2—Commercial, Medium-Density.



The plan shown does not reflect all requirements contained in this Ordinance.



	C2 Commercial Medium-Density
Minimum Lot Size	2.5 ac.
Minimum Lot Width	150 ft.
Minimum Lot Frontage	50 ft.

Created: 2023-03-13 09:33:00 [EST]

(Supp. No. 10)

Maximum Building Height ⁹	Principal	60 ft.
	Accessory	26 ft.
Front Setback ^{1, 10}		PA: 50 ft. MA: 45 ft. MC: 45 ft. RC: 40 ft. LR: 35 ft.
Side Setback ²	Principal	10 ft.
	Accessory	10 ft. / 30 ft. ⁴
Rear Setback ²	Principal	45 ft.
	Accessory	15 ft. / 45 ft. ⁶
Minimum Distance from Structures on Same Lot		10 ft.
Minimum Ground Floor Area (Per Unit)	1 story	N/A
	2+ story	N/A
Total Minimum Living Area (Per Unit)		N/A
Minimum Living Area Facade Width		N/A
Maximum Lot Coverage (structures and buildings)		50%
Maximum Lot Coverage (all impervious surfaces)		80%

¹ See accessory structure location restrictions *Section 8.02 - Accessory Uses and Structure Standards*

² Check buffer yard standards *Section 7.05 - Landscaping Standards* and/or apply any applicable easement widths

⁹ See height exemptions per *Section 7.10 - Height Standards*

¹⁰ The front building setback may be reduced to a minimum of twenty-five (25) feet for single-family residential subdivision streets within major plats, minor plats, and horizontal property regimes

District Intent

The intent of the Commercial, Medium-Density (C2) District is to encourage the establishment of business and institutional uses that serve a regional market and require convenient access to high-volume transportation routes such as interstate highways or major arterial. In addition to the permitted uses identified in C1, C2 includes:

Special Exception Required

- 1) Agriculture
 - a) farm equipment sales and service
- 2) Commercial
 - a) motor vehicle sales, small
- 3) Light and Heavy Industrial
 - a) Auction facility (excluding livestock)

Permitted Uses

- 1) Agricultural
 - a) winery
- 2) Communications / Utilities
 - a) essential services, minor
 - b) essential services, major

3) Institutional

- a) educational institution, excluding p-12, public
- b) educational institution, p-12 only, public
- c) educational institution, excluding p-12, private
- d) educational institution, p-12 only, private
- e) bus/train terminal
- f) parking lot or structure (as primary use)
- g) clinic
- h) community center
- i) healthcare facilities, medical and emergency
- j) lodge or private club
- k) publicly owned buildings or facilities

4) Parks & Recreation

- a) Campground/rv park
- b) nature preserve

5) Commercial

- a) car wash
- b) filling station
- c) motor vehicle parts sales (without on-site repair)
- d) motor vehicle repair and service, minor
- e) motor vehicle sales, large
- f) truck stop/travel center
- g) banquet or assembly hall
- h) conference/convention center
- i) entertainment complex
- j) commercial services
- k) daycare center (child/adult)
- l) fitness center
- m) hotels/motels
- n) kennel, inside runs/groomers
- o) storage, self-service
- p) administrative/professional office
- q) bank/financial/investment institution
- r) data processing/call center

- 1. The first part of the report is a general introduction to the subject.
- 2. The second part is a detailed description of the methods used in the study.
- 3. The third part is a discussion of the results of the study.
- 4. The fourth part is a conclusion and summary of the findings.
- 5. The fifth part is a list of references.
- 6. The sixth part is an appendix containing additional data and figures.
- 7. The seventh part is a glossary of terms used in the report.
- 8. The eighth part is a list of abbreviations.
- 9. The ninth part is a list of symbols.
- 10. The tenth part is a list of tables.
- 11. The eleventh part is a list of figures.
- 12. The twelfth part is a list of equations.
- 13. The thirteenth part is a list of footnotes.
- 14. The fourteenth part is a list of errata.
- 15. The fifteenth part is a list of acknowledgments.
- 16. The sixteenth part is a list of dedications.
- 17. The seventeenth part is a list of prefaces.
- 18. The eighteenth part is a list of forewords.
- 19. The nineteenth part is a list of introductions.
- 20. The twentieth part is a list of conclusions.

-
- s) employment service
 - t) medical/dental laboratories
 - u) veterinarian clinic and animal hospitals
 - v) bar/tavern
 - w) coffee shop
 - x) microbrewery/brew-pub
 - y) wine and craft beer boutiques
 - z) restaurants
 - aa) restaurants, fast food
 - bb) retail, small scale (less than 15,000 sf.)
 - cc) retail, medium-scale (greater than 15,000 sf, less than 35,000 sf)
 - dd) retail, large-scale, (greater than 35,000 sf)
 - ee) business, wholesale



SMITH CONERLY LLP

402 Newnan Street
Carrollton, Georgia 30117
phone: 770-834-1160
fax: 770-834-1190
smithconerly.com

CHARLES S. CONERLY
cconerly@smithconerly.com

August 25, 2023

*Via: Hand Delivery
& Electronic Mail to rjohnson@villarica.gov*

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

*Re: Arpit Realty, LLC
Application for UDC Text Amendment
Property Tax Parcel Nos. 01460250021 & 01460250019*

Dear Ronald:

I hope this letter finds you well. As you know, I represent Arpit Realty, LLC ("Arpit"), which owns the above two parcels consisting of a total of 2.14 acres and located along Mirror Lake Blvd. The property is currently zoned C2 (Commercial Medium Density), and Arpit would like to develop the property as a wholesale business to sell and supply merchandise and other supplies to retail convenience stores.

Arpit believes that such a use fits within the definition of "Business, Wholesale" in the Zoning Ordinance of the City of Villa Rica, Georgia (the "Ordinance"). However, that use is not specifically listed among the permitted uses in Section 4.14 (C2-Commercial Medium Density) of the Ordinance. By way of the enclosed application, Arpit is requesting a UDC Text Amendment to add "Business, Wholesale" as a permitted use in Section 4.14 of the Ordinance.

As always, feel free to follow up with any questions or if you need anything further from me.

Best regards,

SMITH CONERLY LLP


Charles S. Conerly

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

770-459-7000

Receipt No: 49.000344

Aug 30, 2023

CARROLLTON PRACTICE LLC

COMMUNITY DEVELOPMENT - UDC TEXT	250.00
AMENDMENT APPLICATION ARPIT REALTY LLC	
100-322210 Zoning and land use	

Total:	250.00
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CHECK	Chk No: 9153	250.00
Total Applied:		250.00

Change Tendered:	.00
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08/30/23 11:31AM