

COMMISSION
ASHLEY HEAD, CHAIR
ANDREW NEWTON, VICE CHAIR
MARILYN GLASS
LUZ MORALES
JULIE CEPIN

City of Villa Rica



INTERIM CITY MANAGER: JEFF REESE
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
September 17, 2024 | 6:00 PM

Meeting Call to Order (Chairwoman)

Adoption of the Agenda (Chairwoman)

A. Old Business

1. Approval of minutes from 8/20/2024

B. New Business

1. RA-04-24- Rezoning request for a 6.09-acre parcel located on Conners Rd. from commercial medium density (C2) to commercial low density (C1)
2. VA-10-24- Two variance requests by Prime Construction for a proposed private townhome development located on Villa Trace Rd.

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 (Chairwoman)

City of Villa Rica



PLANNING AND ZONING MEETING MINUTES

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

Tuesday, August 20th, 2024 | 7:00pm

Meeting Called to Order Chairwoman Ashley Head announced the meeting start would be delayed as we waited for a quorum. The meeting was called to order at 7:09pm.

Present: Chairwoman Ashley Head, Vice Chairman Andrew Newton and Commissioner Luz Morales

Adoption of the Agenda

Vice Chairman Andrew Newton moved to adopt the agenda as presented.

RESULT: **APPROVED 3/0**
MOVER: Vice Chairman Andrew Newton
SECONDER: Commissioner Luz Morales
AYES: Chairwoman Ashley Head, Vice Chairman Andrew Newton and Commissioner Luz Morales

A. Old Business

1. Approval of Minutes

Commissioner Luz Morales moved to approve the minutes from 7/16/2024.

RESULT: **APPROVED 3/0**
MOVER: Commissioner Luz Morales
SECONDER: Vice Chairman Andrew Newton
AYES: Chairwoman Ashley Head, Vice Chairman Andrew Newton and Commissioner Luz Morales

B. New Business

1. RA-06-18- Extension of rezoning for 55 and 63 Goldworth Rd.- Avemore

Community Development Director Nina Shabazz introduced the application and advised that staff recommended denial of the application. Applicant Mike Embry represented the project and spoke in opposition of staff's recommendation. The commissioners discussed the application lacking information and the affect this had on them making a decision.

Commissioner Luz Morales made a motion to deny the application for extension and directed the applicant to submit a new complete application to take to City Council.

RESULT: **DENIED 2/0**
MOVER: Commissioner Luz Morales
SECONDER: Chairwoman Ashley Head
AYES: Chairwoman Ashley Head and Commissioner Luz Morales
* Vice Chairman Andrew Newton abstained

2. ALT-01-24- Alteration of zoning conditions for an extension of the current PUD to include light industrial (I1) for the purpose of a data center at 55 and 63 Goldworth Rd.- Avemore

Applicant Mike Embry withdrew the application.

Public Comments:

Deborah Rogers- spoke about concerns of losing the forest that surrounds her property and the privacy it provides.

Susan Crane- raised concerns about the Avemore project and what it will actually entail and how it will affect infrastructure in the City.

Jackie Childress- spoke in opposition to a data center being built and mentioned concerns with infrastructure.

Byron Rogers- expressed concerns about the details of a data center

C. Adjournment- Chairwoman Ashley head moved to adjourn at 7:47pm.

RESULT: **APPROVED 3/0**
MOVER: Chairwoman Ashley Head
SECONDER: Commissioner Andrew Newton
AYES: Chairwoman Ashley Head, Commissioner Andrew Newton and Commissioner Luz Morales

Planning & Zoning Chairman

Community Development Director



CITY OF VILLA RICA

Planning Commission Meeting

Agenda Item Cover Sheet

September 17, 2024

SUBJECT: RA-04-24 Commercial Medium, Density (C2) to Commercial Low Density (C1) Rezoning Request for 6.09-acre parcel located at Conners Road

CITY COUNCIL AGENDA DATE: September 17, 2024

DATE: September 5, 2024

PREPARED BY: Shaun Daniels, City Planner

PUBLIC HEARING REQUIRED: Yes

PURPOSE: AUP Enterprise, LLC has requested a rezoning of a 6.09-acre parcel (#: 01750250267) located at Conners Road from Commercial Medium, Density (C2) to Commercial Low Density (C1).

BACKGROUND:

RA-04-24: The applicant's subject parcel is south of Conners Road, east of Garnet Drive, and north of Permian Way. In 2023, the City Council approved the applicant as District 1's presumptive licensee for a package store on a 6.09-acre parcel zoned Commercial Medium-Density (C2). The applicant now seeks to downzone the parcel from C2 to Commercial Low-Density (C1) to subdivide it into four tracts. C2 zoning requires a minimum lot size of 2.5 acres, while C1 zoning requires only 1 acre.

Proposed Development:

- Tract 1 (1.12 acres): Corner of Conners Road and Garnet Drive, featuring a 4,875 sq. ft. convenience store/filling station.
- Tract 2 (1.445 acres): East of Tract 1, a 10,000 sq. ft. package store.
- Tract 3 (1.5 acres): East of Tract 2, planned for a water-quality pond.
- Tract 4 (2 acres): Corner of Garnet Drive and Permian Way, to remain undeveloped.

Construction of the convenience store and package store is scheduled to begin in fall 2024, with completion in fall 2025.

STAFF RECOMMENDATION:

Staff recommendation: **Approval**

Reasons:

- Meets Section 8.27: *Liquor Stores, Package Stores, and Liquor Outlets* development requirements
- Rezoning still aligns with Comprehensive Plan
- Applicant is attempting to maximize the 6.09ac lot

RA-04-24 Motion:

- I move to approve the rezoning request made by AUP Enterprise LLC., to rezone the 6.09 ac parcel located on Conners Road for (C2) to (C1).



Planning & Zoning
Community Development Department

Villa Rica City Hall
571 W. Bankhead Hwy
Villa Rica, GA 30180
T: 678.840.1238
F: 770.459.7003
www.villarica.org

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

Re: Planning Report
AUP Enterprise, LLC
RA-04-24
Conners Road
Parcel #: 01750250267
Acreage: 6.09
Zone: Commercial, Medium Density (C2)
Ward: 1
City Council Member: Shirley Marchman
Planning Board Member: Luz Morales
City of Villa Rica, Carroll County, Georgia

Dear Ms. Cox:

The planning report is prepared in response to the rezoning application submitted by AUP Enterprise, LLC. for the property located at Conners Rd (Parcel # 01750250267). This report aims to provide an analysis of the rezoning request and make recommendations for the Planning Commission's consideration.

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

1. Property Survey, prepared by Landworks Associates, Inc., dated July 29th, 2024; (3 pages)
2. Zoning Map Amendment (Rezoning) Application, dated July 26, 2024;
3. Applicant Statement of Intent, dated July 26, 2024;
4. Applicant's Deed, dated June 7, 2024;



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

A. Existing Conditions

The applicant's subject parcel is situated south of Conners Road, east of Garnet Drive, and north of Permian Way. The parcel has approximately 500 feet of road frontage on Conners Road, 541 feet on Garnet Drive, and 456 feet on Permian Way. The parcel is currently undeveloped and does not contain any structures. Additionally, the property is not within any city incorporation boundaries.

Surrounding Properties:

TABLE 1 – ADJACENT ZONING AND LAND USE CHARACTER AREAS		
	Current Zoning	Land Use Character Area
North	Commercial, Medium Density (C2)	Commercial Corridor
East	Commercial, Medium Density(C2)	Commercial Corridor
South	Commercial, Medium Density(C2)	Commercial Corridor
West	Commercial, Medium Density(C2)	Commercial Corridor



B. Site History

The subject parcel is currently undeveloped and does not contain any structures. According to the Unified Development Code (UDC), the property was initially zoned as General Commercial (GC). In 2020, during the citywide rezoning effort, the parcel was rezoned from General Commercial (GC) to Commercial Medium-Density (C2), which is considered a lateral rezoning.

C. Proposed Development

In 2023, the City Council approved the applicant as District 1's presumptive licensee for a package store/distilled spirits. The City Council also approved the construction of a package store on the 6.09-acre subject parcel zoned as Commercial Medium-Density (C2).

Currently, the applicant requests to downzone the parcel from Commercial Medium-Density (C2) to Commercial Low-Density (C1). According to the Written Statement, the purpose of the downzoning is to subdivide the 6.09-acre parcel into four individual tracts.

According to Section 4.04 – Lot Standards in the city's Article 3 Zoning Ordinance, new developments within Commercial Medium-Density (C2) zoning districts require a minimum lot size of 2.5 acres. The applicant proposes to downzone the parcel to Commercial Low-Density (C1) because C1 zoning districts require a minimum lot size of 1 acre for new developments. The applicant plans to subdivide the 6.09-acre parcel into four tracts.

According to the Written Statement, the applicant proposes to make Tract 1, which is 1.12 acres, located at the corner of Conners Road and Garnet Drive. Tract 1 will feature a 4,875-square-foot convenience store/filling station. To the east, abutting Tract 1, the applicant proposes to build a 10,000-square-foot package store on the 1.445-acre Tract 2. Construction of the package store and convenience store is scheduled to begin in the fall of 2024, with an anticipated completion and opening to the public in the fall of 2025.

Tract 3, which is 1.5 acres, will be located east of Tract 2. While no development is planned for Tract 3, the applicant proposes to install a water-quality pond. Tract 4, which is 2 acres, will be located at the corner of Garnet Drive and Permian Way and will remain undeveloped.

Design Standards

The city has established supplementary conditions for specific uses for all new package store developments in Article 3 of the Zoning Ordinance, Section 8.27: *Liquor Stores, Package Stores, and Liquor Outlets*. The applicant must comply with these standards at the time of architectural review. All new package store developments are restricted to the Commercial Low-Density (C1) and Commercial Medium-Density (C2) zoning districts. In addition to being zoned C1 or C2, there are additional zoning requirements as follows:



- a) The property must have at least 200 feet of road frontage, be at least one acre in size, and must be used exclusively for the purpose of selling distilled spirits. This means that a package store shall not be part of a shopping center; it must be a stand-alone building: **The proposed package store tract appears to have approximately 200 feet of road frontage along Conners Road, which meets the city's road frontage requirement as per Section 8.27.**
- b) Any building constructed on the property shall:
 - i) Be at least six thousand (6,000) square feet, with at least seventy-five percent (75%) dedicated to public retail sales: **The proposed package store is 10,000 square feet, which exceeds the city's building size requirement.**
 - ii) Be occupied by a single tenant: **The applicant has stated that the package store will operate solely on Tract 2.**
 - iii) Have one entrance and one exit, both located at the front of the building: **The site plan includes a front entrance and exit for the package store.**
 - iv) Have at least one hundred fifty (150) square feet of plate glass, excluding glass used in the door: **Based on the applicant's elevations, the package store meets this requirement.**
 - v) Have no windows or doors on the sides or rear of the building: **According to the applicant's elevations, the package store does not have windows on the rear or sides. However, the Fire Marshal has stated that an 'emergency only' door must be installed at the rear of the building.**
 - vi) Not having living quarters or residential space on the premises: **The applicant has confirmed that the package store will not be used for residential purposes.**

Open Space

The C1 zone has a 5% open space requirement as per Table 7.24 of the Villa Rica Zoning Ordinance. The applicant appears to have ample space on the concept plan to provide the necessary 5% open space and it is not projected that meeting this ordinance provision will be problematic. The ordinance specifies what is considered nonqualifying open space and qualifying open space specified below:



QUALIFYING OPEN SPACE.

- a) Conservation areas and wetlands preserved as conservation areas.
- b) Floodplains
- c) Woodlands
- d) Riparian corridors
- e) Retention and detention facilities with the following characteristics:
 - i. 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.
 - ii. 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.
 - iii. Planting. Native plant material is encouraged around the perimeter of retention ponds.
- f) Development amenity areas containing semi-public areas such as:
 - i. Plazas with seating and special features such as public art or fountains;
 - ii. Pocket parks with seating and landscaping;
 - iii. Decorative water features; and lakes.

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

Offsite Improvements

The applicant has not proposed any offsite improvements at this time.

Flood Plain

The property is not located within a flood zone and no state waters traverse or is located on the property.

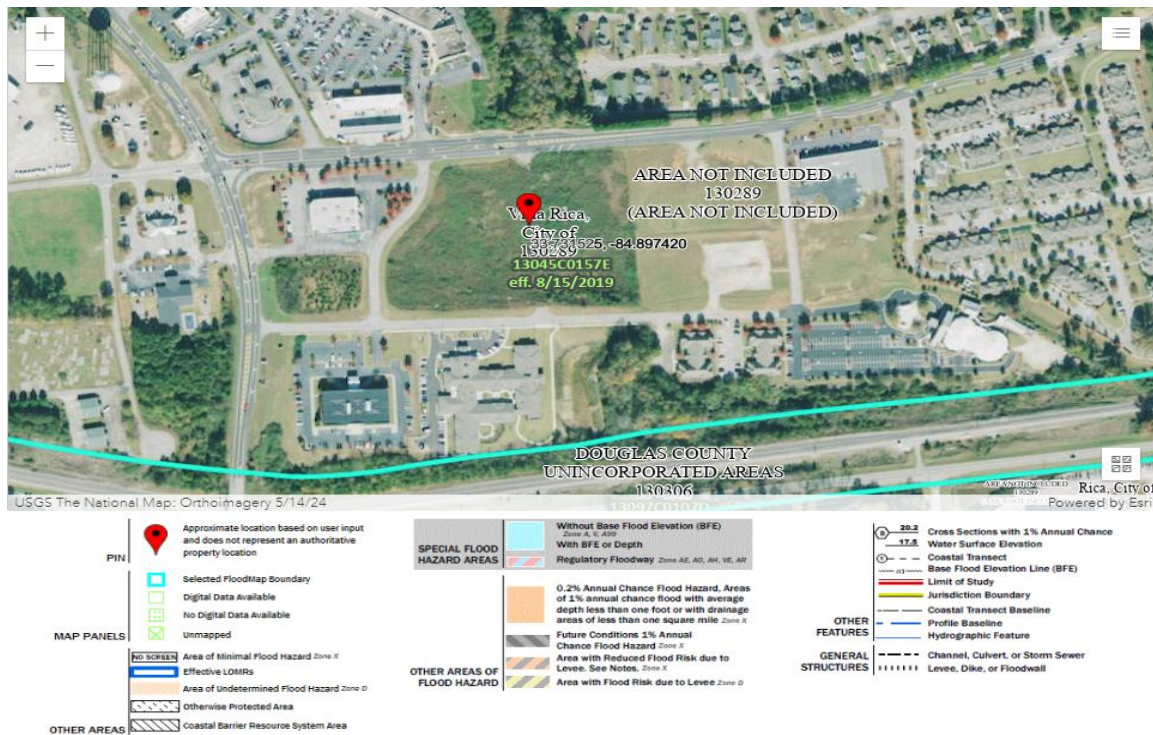


Figure 2: National Flood Hazard Layer FIRM Map

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 “Commercial Corridors” as the future land use character area for the parcels. The intent of the Downtown Activity Area is as follows:

“Enhance and maintain well-functioning, attractive corridors that serve local needs, facilitate traffic flow, and coordinate land use patterns without encroaching on adjacent neighborhoods.”

“Corridors include primary roadways that may be predominately commercial, industrial, or residential in nature. Access management elements are utilized to minimize the impact of new development to traffic flow, including inter-parcel access, secondary road access, and driveway consolidation. On each corridor, access management measures are important so as not to impede traffic flow, especially since portions of these corridors are also designated truck routes. A major component of corridor design is avoiding strip, commercial development through coordinating transportation projects and adjacent land use/developments.”



Based on the city's Comprehensive Plan, the Commercial Corridor area has varying design principles depending on the location. The area around Mirror Lake Blvd and Interstate 20's Exit 26 experiences moderate to high density and intensity in terms of development. According to the Comprehensive Plan, the primary future land uses for the Mirror Lake Blvd commercial corridor should include Neighborhood Commercial, Retail, Mixed Use, Professional Offices, Government Facilities, and Civic Benefit Uses such as community centers, libraries, places of worship, schools, parks, trails, and public plazas.

- I. Current conditions and the character of current structures and uses in each district: **The lot is undeveloped and vacant, with no structures of any kind.**
- II. The most desirable use for which the land in each district is adapted: **The proposed developments align with the Comprehensive Plan and the overall character of the area. The current use of the property as vacant land is not the highest and best use, given the acreage and the density/intensity recommendations for the commercial corridor character area stated in the Comprehensive Plan.**
- III. The conservation of property values throughout the jurisdiction: **The proposed developments are commercial in nature and will not feature residential dwellings. Surrounding property values are expected to increase if the rezoning and development of the lot materialize, reducing the number of vacant parcels in the city.**
- IV. Responsible development and growth: **The gas station/convenience store, package store, and the two additional undeveloped tracts will serve as future plaza areas within the Mirror Lake area of the city. According to the City's Comprehensive Plan's Future Development Map, this area is designated as a commercial corridor. The applicant is maximizing the use of the 6.09-acre parcel approved by the city council for District 1's package store by downzoning from C2 to C1 and effectively subdividing the parcel.**

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

- i. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property: **The surrounding abutting parcels are similarly zoned as Commercial Medium-Density (C2).**
- ii. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property: **The proposed use is not expected to affect the existing uses nearby or the usability of any adjacent structures or lots. All buffers within the ordinance must be adhered to.**
- iii. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned: **The purpose of the rezoning is to remain commercial but downgrade the parcels from C2 to Commercial Low-Density (C1). This rezoning aims to maximize the 6.09-acre parcel, allowing the applicant to build a filling station alongside the package store.**



- iv. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools: **No excessive usage of city infrastructure is anticipated from the rezoning.**
- v. If the local government has an adopted land use plan, whether the zoning proposal conforms with the policy and intent of the land use plan: **The rezoning is partially supported by the Comprehensive Plan, which designates the area as a commercial corridor, allowing for a concentrated area for community shopping.**
- vi. Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal: **Any negative changing conditions that are present or anticipated with the development of the property or have been discussed or mitigated.**

E. Comments

The applicant has met with staff to discuss a rezoning. Staff reminded the applicant that they are the presumptive package store licensee for District 1 and suggested they consider building and opening the package store to the public first. They could then return to the city to request a rezoning, parcel split, and the construction of the filling station/convenience store.

Recommendation:

Staff recommendation: **Approval**

Reasons:

- Meets Section 8.27: *Liquor Stores, Package Stores, and Liquor Outlets* development requirements
- Rezoning still aligns with Comprehensive Plan
- Applicant is attempting to maximize the 6.09ac lot

Public Notifications:

As required by *Section 11.05* in the Code of the City of Villa Rica, the public has been notified in the *Douglas Sentinel* and *Times-Georgian* on August 29, 2024; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

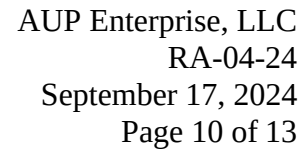
In response to the public notifications, no residents have contacted the city to voice concerns or support for the proposed actions.



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 revised plans or new information.

Sincerely,

Shaun Daniels
Planner
City of Villa Rica: Community Development
sdaniels@villarica.gov | 678-785-9995



The site plan shows a large rectangular development area bounded by Peachtree Way to the north, 8th Street to the east, and 9th Street to the west. The plan includes several building footprints, parking lots, and landscaped areas. Key features include:

- Building Footprints:** Multiple rectangular buildings of varying sizes, some with internal courtyards. One large building is labeled "HEALTHY ENTERPRISES, INC." and another is labeled "LIFEPOINT CHURCH, INC.".
- Parking Lots:** Several parking areas are shown, including a large lot on the east side and smaller lots around the buildings.
- Landscaped Areas:** Green spaces and landscaped zones are indicated throughout the site.
- Infrastructure:** The plan shows the intersection of Peachtree Way and 8th Street, with existing and proposed sidewalks and streetlights.
- Site Plan Notes:** A list of notes on the right side of the plan provides details about the development, including building specifications, parking requirements, and landscaping details.

811
Know what's below.
Call before you dig.

SCALE: 1"=40'
0 20 40 60 80

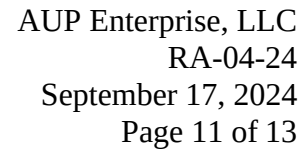
**24 HOUR CONTACT: MR. AVAS PATEL
(404) 500-3078**

PROJECT INFORMATION
SHEET TITLE: **PARCEL PLAN**
DATE: **08-26-14**
DRAWN BY: **SS**
CHECKED BY: **SS**
SCALE: **1"=40'**

Landworks Associates, Inc.
P.O. BOX 8836
ATLANTA, GEORGIA 30356
(770) 513-7100
"Celebrating 30 Years of Providing Dedicated Service To Our Clients"

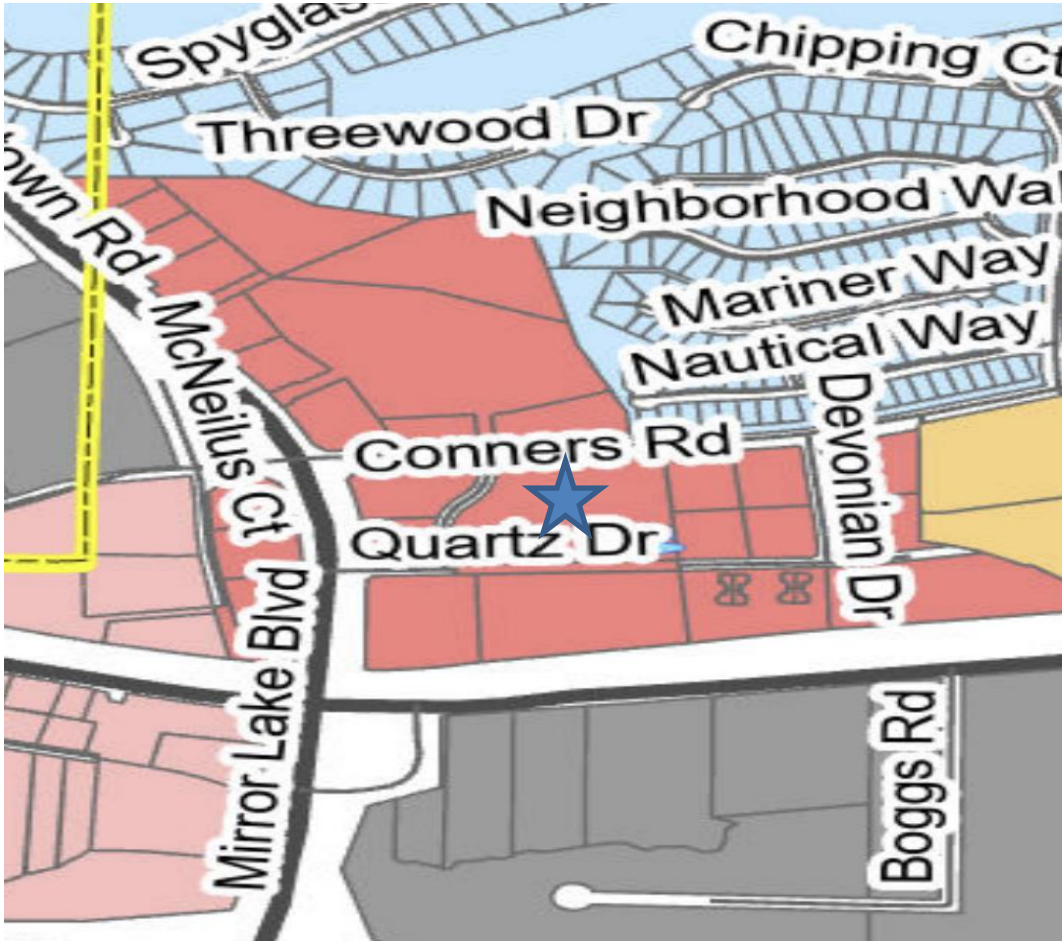
GSWCC LEVEL II
C-1B

Proposed Parcel Split Site Plan

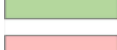
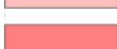
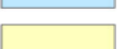
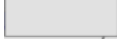




Villa Rica Zoning Map:

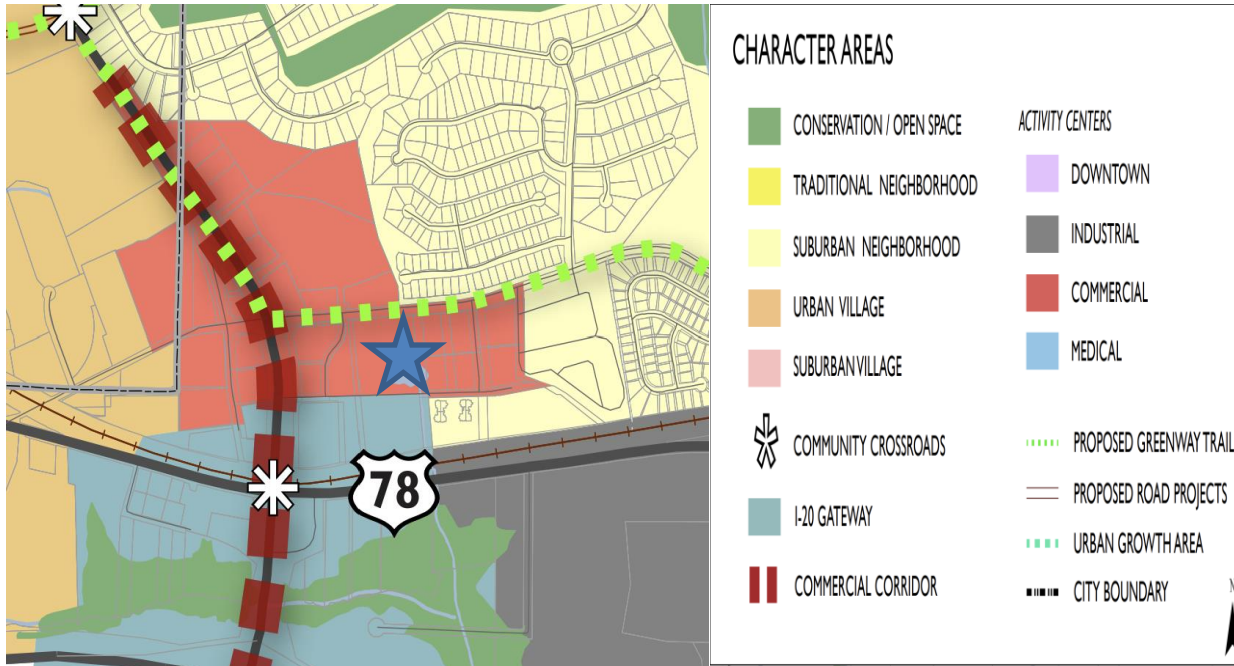


Map Legend

	CC_DC_CountyBoundaries		I2
	City Boundary		MF1
	Special Condition		MF2
	AG		OM1
	C1		PUD
	C2		R1
	CBD		R2
	CMU		SFA
	I1		



Villa Rica Future Land Use Map:





APPLICATION FOR
UDC TEXT AMENDMENT / ZONING MAP AMENDMENT

☐ UDC TEXT AMENDMENT ☒ ZONING MAP AMENDMENT

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: July 26, 2024

APPLICANT

Applicant Name: AUP ENTERPRISE, LLC
Address: 1030 OVERLOOK DRIVE City: VILLARICA State: GA Zip: 30180
Phone: 205 200-3078 Fax: () - Email: AUPDEVELOPMENT@GMAIL.COM
Agent Name: _____
Address: _____ City: _____ State: _____ Zip: _____
Phone: () - Fax: () - Email: _____
Owner Name (If different from applicant): (SAME)
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

Existing Zoning: C2 Requested Zoning: C1
Property Address: CONNORS ROAD Nearest Intersection: GARNET DENE
Present Use of Property: UNDEVELOPED
Proposed Use: RETAIL BUSINESS CENTER
Size of Tract: 6.091 AC. Land Lot Numbers: 175 Districts: 2ND
Gross Density: N/A units per acre Net Density: N/A units per acre
Property Tax Parcel Number: # 01750250267

(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, HARDIK PATEL, hereby state that all of the above statements and statements contained in the documents submitted with this application are true.

Hardik Patel

Signature of Applicant

07/26/2024

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 ☒

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
N/A		

We certify that the foregoing information is true and correct, this 26th day of JULY, 20 24.

HARDIK PATEL

Applicant's Name – Printed

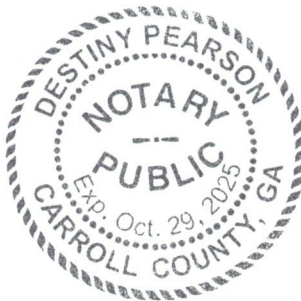
Hardik Patel

Signature of Applicant

Applicant's Attorney, if applicable – Printed

Signature of Applicant's Attorney, if applicable

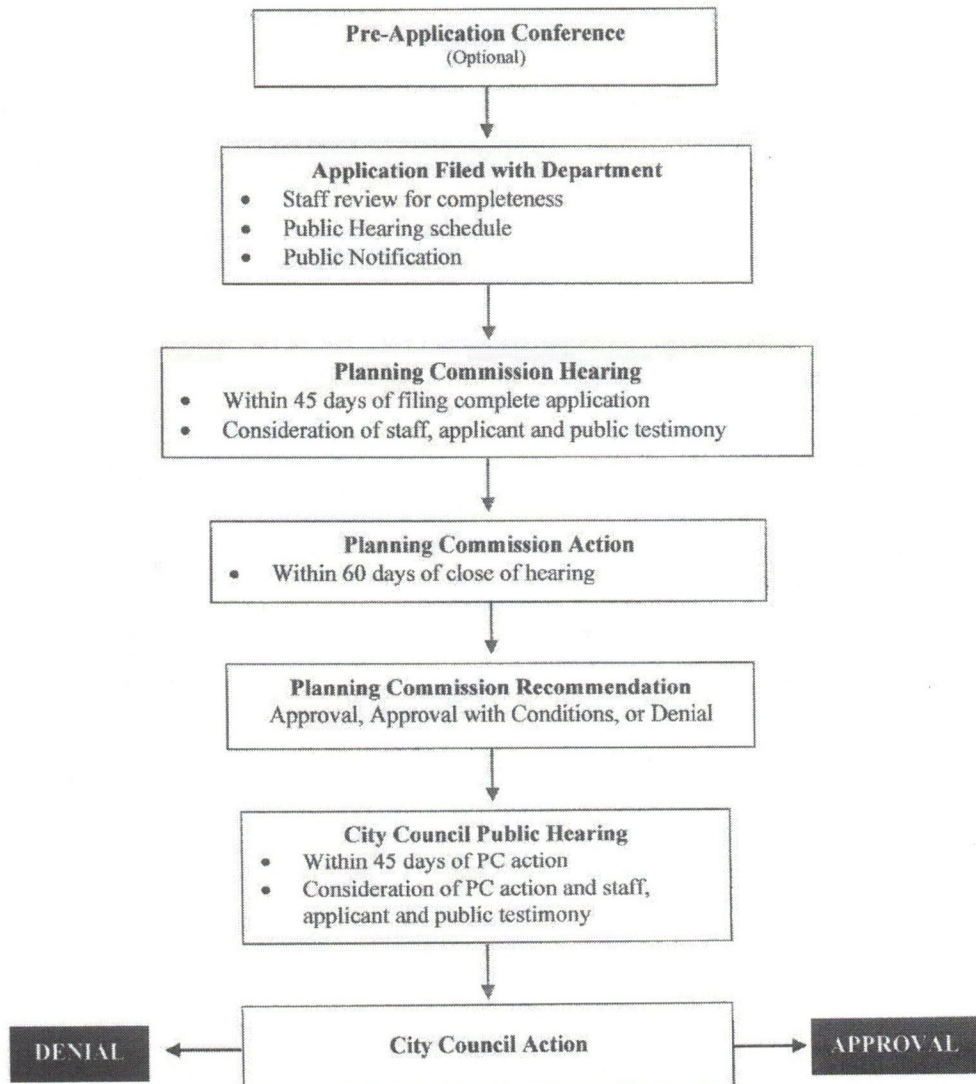
Sworn to and subscribed before me this 26th day of July, 20 24.



Destiny Pearson

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.



July 26, 2024

Shaun Daniels, City Planner
City of Villa Rica Planning and Zoning
571 West Bankhead Highway,
Villa Rica, Georgia 30180
(678) 785-9995
(470) 692-2747

RE: Proposed Connors Road Retail Business Center,
Rezoning Request Letter
Parcel#01750250267, 6.091 Acre Property,
Land Lot 175, 2nd District, 5th Section,
City of Villa Rica, Douglas County, Georgia

Hello:

Please accept this letter as part of our submittal application for the rezoning of the subject property that is currently zoned C2 Commercial Medium Density to a C1 Commercial Low Density zoning for this property.

We are making this request such that the following proposed developments, which are allowed in both the C2 and C1 zoning districts can be subdivided in to individual parcels within this planned development to be built-out over time. The proposed developments will consist of the following:

1. Proposed Convenience Center/Shop Space – 4,875 Sq. Ft. (Future Parcel 1) Consisting of 1.126 Acres
2. Proposed Liquor Store – 10,000 Sq. Ft. (Future Parcel 2) Consisting of 1.445 Acres
3. Open Land (Future Parcel 3) Consisting of 1.520 Acres
4. Open Land (Future Parcel 4) Consisting of 2.00 Acres

Each of the planned developments are consistent with allowable uses in the C1 Commercial Low Density zoning district based on City of Villa Rica's Appendix B – Zoning Code of Ordinance.

The planned future parcel sizes are slightly larger than the minimum property size requirement of at least 1.0 acres in size in accordance with the C1 Commercial Low Density zoning requirements.

Sincerely,
AUP Enterprise, LLC



Mr. Hardik Patel
Member

July 26, 2024

Shaun Daniels, City Planner
City of Villa Rica Planning and Zoning
571 West Bankhead Highway,
Villa Rica, Georgia 30180
(678) 785-9995
(470) 692-2747

RE: Proposed Connors Road Retail Business Center,
Rezoning Request Letter
Parcel#01750250267, 6.091 Acre Property,
Land Lot 175, 2nd District, 5th Section,
City of Villa Rica, Douglas County, Georgia

Hello:

Please accept this letter as part of our submittal application for the rezoning of the subject property that is currently zoned C2 Commercial Medium Density to a C1 Commercial Low Density zoning.

The following represents our "Written Statement" concerning our rezoning request for the subject property:

- a. The proposed uses are consistent with the surrounding property area uses. There would be no effect on the surrounding properties and will not be detrimental to the general public interest and the purposes of the City Codes;
- b. The proposed uses on for this property, being Convenience Center/Shop Space and Liquor Store is consistent with the intent and purpose of the City Codes and the goals and policies of the Comprehensive Plan for this property location;
- c. The surrounding area has been established as a "general business area" consisting of retail, business and residential uses and we do not feel the proposed change from the existing C2 Commercial Medium Density to a C1 Commercial Low Density zoning will have any negative effect on the area or surrounding properties;
- d. The proposed amendment change is not being made due to changed or changing social values, new concepts or other social or economic conditions in the area. It is the intent of the proposed developments for this property to provide addition retail and business conveniences to the surrounding area;
- e. The proposed time schedule for the building of the initial development, Liquor Store and Convenience Center is anticipated to begin in the fall of 2024. We anticipate the construction process to involve a timeline of approximately 9 to 12 months to complete and open for business in the fall of 2025. The remaining open land consisting of 3.52 acres is not being initially developed at this time and is contingent upon what the local business market and desires are needed in this area consistent with the C1 Commercial Low Density zoning uses;
- f. The subject property is surrounded by existing utilities to support the proposed development with sanitary sewer located in the public right-of-way area of Permian Way at the rear of the subject property, owned and operated by the Douglasville-Douglas County Water and Sewer Authority and an existing water line system located in the public right-of-way area of Connors Road at the front of the site, also owned and operated by the Douglasville-Douglas County Water and Sewer Authority. Other supportive utilities being Greystone Power Corporation, Austell Natural Gas System and communication providers are located in the vicinity of the subject property;

- g. Connors Road located at the front of the subject property, has been developed as a five (5) lane roadway system with deceleration lanes in-place that will adequately service the proposed development needs of this property. Additionally, located along the west boundary limit is the public right-of-way of Garnet Drive and along the south boundary limit is the public right-of-way of Permian Way. These existing roadway systems will provide excellent optional traffic patterns to support the proposed developments of this property; and
- h. Beyond the City of Villa Rica, the Douglasville-Douglas County Water and Sewer Authority will be involved in approving and permitting the planned developments associated with the property.

Sincerely,
AUP Enterprise, LLC

A handwritten signature in cursive script, appearing to read "Hardik Patel".

Mr. Hardik Patel
Member

Participant ID(s): 8932893115,
8048187955

RETURN RECORDED DOCUMENT TO:

HARTLEY, ROWE & FOWLER, P.C.
P. O. BOX 489
DOUGLASVILLE, GA 30133
FILE NO. 20-1632S

BK 3979 PG 716 - 719

**STATE OF GEORGIA
COUNTY OF DOUGLAS**

LIMITED WARRANTY DEED

THIS INDENTURE, made the 4th day of June, in the year two thousand and twenty one, between

MR FINANCE INC.

as party or parties of the first part ("Grantor"), and

AUP ENTERPRISE LLC

as party or parties of the second part, ("Grantee"), the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.

WITNESSETH that: Grantor, for and in consideration of other good and valuable considerations and the sum of Ten and No/100 (\$10.00) Dollars in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee:

ALL THAT TRACT or parcel of land lying and being in Land Lot 175 of the 2nd District, 5th Section of Douglas County, Georgia and being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

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

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the Grantee against the claims of all persons claiming by, through or under Grantor, except for claims arising under or by virtue of the Permitted Exceptions attached hereto as Exhibit "B" and incorporated by reference.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered
in the presence of:

Amranda M. M.
Witness

Notary Public

My Commission Expires:
(SEAL)



MR FINANCE INC.

By: Abdel Mahdi Al-Husseini (SEAL)
ABDEL MAHDI AL-HUSSEINI, PRESIDENT

EXHIBIT "A"

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 175 of the 2nd District, 5th Section of Douglas County, Georgia, containing 6.63 acres and being more fully described as follows: To find the point of beginning commence at the intersection on the east right of way of Mirror Lake Boulevard with the southerly right of way of Quartz Drive (50 foot right of way) and from said intersection running along the southerly right of way of Quartz Drive North 46 degrees 6 minutes 14 seconds East a distance of 28.18 feet to a point; thence continuing along said right of way North 88 degrees 25 minutes 15 seconds East a distance of 247.97 feet to a point to the true point of beginning; thence from said true point of beginning continuing along said right of way North 88 degrees 25 minutes 15 seconds East 65.29 feet; thence continuing North 88 degrees 25 minutes 15 seconds East 400.27 feet; thence North 4 degrees 59 minutes 37 seconds West 210 feet; thence North 88 degrees 25 minutes 15 seconds East 207.80 feet; thence North 4 degrees 59 minutes 37 seconds West 349.44 feet but specifically to the South right of way of Conners Road; thence along said Conners Road South 85 degrees 44 minutes 14 seconds West 204.54 feet; thence South 40 degrees 41 minutes 57 seconds West 27.95 feet; thence South 85 degrees 24 minutes 58 seconds West 51.06 feet; thence North 49 degrees 19 minutes 48 seconds West 28.21 feet; thence South 85 degrees 44 minutes 15 seconds West 188.80 feet; thence leaving said right of way South 37 degrees 42 minutes 30 seconds West 29.71 feet; thence along a curve a length of which is 203.09 feet, the cord of which is South 22 degrees 51 minutes 23 seconds West 106.01 feet, the radius of which is 220.99 feet; thence along the curve the length of which is 157.17 feet; the cord of which is South 23 degrees 49 minutes 45 seconds West 152.28 feet, the radius of which is 181.10 feet; thence South 1 degree 30 minutes 23 seconds East 136.25 feet; thence south 46 degrees 32 minutes 34 seconds East 14.70 feet to the North right of way of Quartz Drive; thence South 00 degrees 02 minutes 24 seconds West 50 feet to the true point of beginning.

LESS AND EXCEPT:

All that tract or parcel of land conveyed by Right of Way Deed and Slope Easement from Community & Southern Bank to the City of Villa Rica, dated 7/8/2014, recorded in Deed Book 3234, Page 271, Douglas County, Georgia Records, and as shown per Plat Book 39, Page 60.

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2021 and subsequent years, not due and payable.
2. Restrictions, easements, building set-back lines, and matters of survey as shown on plat recorded in Plat Book 39, Page 60, Douglas County, Georgia Records.
3. Right of Way Deed to the City of Villa Rica recorded in Deed Book 1247, Page 48, Douglas County, Georgia Records.
4. Right of Way Deed to the City of Villa Rica recorded in Deed Book 1247, Page 42, Douglas County, Georgia Records.
5. Right of Way Deed to the Douglas County recorded in Deed Book 651, Page 406, Douglas County, Georgia Records.
6. Sewer Easement to the City of Villa Rica recorded in Deed Book 2018, Page 12, Douglas County, Georgia Records.
7. Declaration of Easements, Covenants and Restrictions recorded in Deed Book 2081, Page 892, Douglas County, Georgia Records.
8. Right of Way Deed to the City of Villa Rica recorded in Deed Book 3234, Page 271, Douglas County, Georgia Records.

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Daniel F. Conroy
DANIEL F. CONROY PLS #250

07/27/2023
DATE



FOR THE FIRM
BOUNDARY ZONE, INC.
LSF #839

REFERENCE PLATS

1. ALTA/NSPS LAND TITLE SURVEY FOR AUP ENTERPRISE, LLC.
2. PLAT BOOK 39 PAGE 60 PREPARED BY GEORGIA & WEST, INC. DATED 04/30/2013, REVISED ON 06/16/2014 AND RECORDED ON 08/05/2014 AT CLERK SUPERIOR COURT OF DOUGLAS COUNTY, GEORGIA.
3. PLAT BOOK 40 PAGE 340 PREPARED BY GEORGIA & WEST, INC. DATED 09/17/2019 AND RECORDED ON 10/24/2019 AT CLERK SUPERIOR COURT OF DOUGLAS COUNTY, GEORGIA.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 175 OF THE 2ND DISTRICT, 5TH SECTION OF DOUGLAS COUNTY, GEORGIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION POINT OF THE EASTERLY RIGHT-OF-WAY OF MIRROR LAKE BOULEVARD AND THE SOUTHERLY RIGHT-OF-WAY OF QUARTZ DRIVE (50' RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY OF QUARTZ DRIVE NORTH 46°06'00" EAST FOR A DISTANCE OF 28.18' TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY OF QUARTZ DRIVE NORTH 88°25'01" EAST FOR A DISTANCE OF 247.97' TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY OF QUARTZ DRIVE NORTH 0°02'10" EAST FOR A DISTANCE OF 50.0' TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF QUARTZ DRIVE AND BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 46°32'34" WEST FOR A DISTANCE OF 14.70' TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF GARNET DRIVE (50' RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY OF GARNET DRIVE NORTH 01°30'26" WEST FOR A DISTANCE OF 136.04' TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY OF GARNET DRIVE FOLLOW A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 157.17', WITH A RADIUS OF 181.10', WITH A CHORD BEARING OF NORTH 23°49'45" EAST, WITH A CHORD LENGTH OF 152.28' TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY OF GARNET DRIVE FOLLOW A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 203.29', WITH A RADIUS OF 221.03', WITH A CHORD BEARING OF NORTH 22°49'55" EAST, WITH A CHORD LENGTH OF 196.20' TO A POINT; THENCE NORTH 37°42'30" EAST FOR A DISTANCE OF 29.71' TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF CONNERS ROAD (VARIABLE RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY OF CONNERS ROAD NORTH 85°44'15" EAST FOR A DISTANCE OF 188.80' TO A POINT; THENCE SOUTH 49°19'48" EAST FOR A DISTANCE OF 28.21' TO A POINT; THENCE NORTH 85°24'58" EAST FOR A DISTANCE OF 51.06' TO A POINT; THENCE NORTH 40°41'57" EAST FOR A DISTANCE OF 27.95' TO A POINT; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF CONNERS ROAD NORTH 85°43'45" EAST FOR A DISTANCE OF 204.48' TO A 1/2" REBAR FOUND; THENCE LEAVING SAID RIGHT-OF-WAY OF CONNERS ROAD SOUTH 05°01'01" EAST FOR A DISTANCE OF 349.47' TO A POINT; THENCE SOUTH 88°25'15" WEST FOR A DISTANCE OF 207.80' TO A POINT; THENCE SOUTH 04°59'37" EAST FOR A DISTANCE OF 159.70' TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF QUARTZ DRIVE; THENCE ALONG SAID RIGHT-OF-WAY OF QUARTZ DRIVE SOUTH 88°23'37" WEST FOR A DISTANCE OF 461.13' TO THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 6.091 ACRES (265,339 SQUARE FEET), MORE OR LESS.

NOTES

- 1) ALTA/NSPS LAND TITLE SURVEY IN ACCORDANCE WITH:
- 2) ALL TITLE EXCEPTIONS PER ABSTRACT OF TITLE HAVE BEEN ADDRESSED
- 3) LEGAL DESCRIPTIONS SHOWN HEREON DESCRIBE THE SAME PROPERTY AS CONTAINED WITHIN SCHEDULE A OF THE ABSTRACT OF TITLE
- 4) INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.
- 5) NO EVIDENCE OF RECENT EARTH MOVING, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED AT TIME OF SURVEY.
- 6) NO EVIDENCE OF RECENT STREET OF SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED AT TIME OF SURVEY.

TO: AUP ENTERPRISE, LLC.

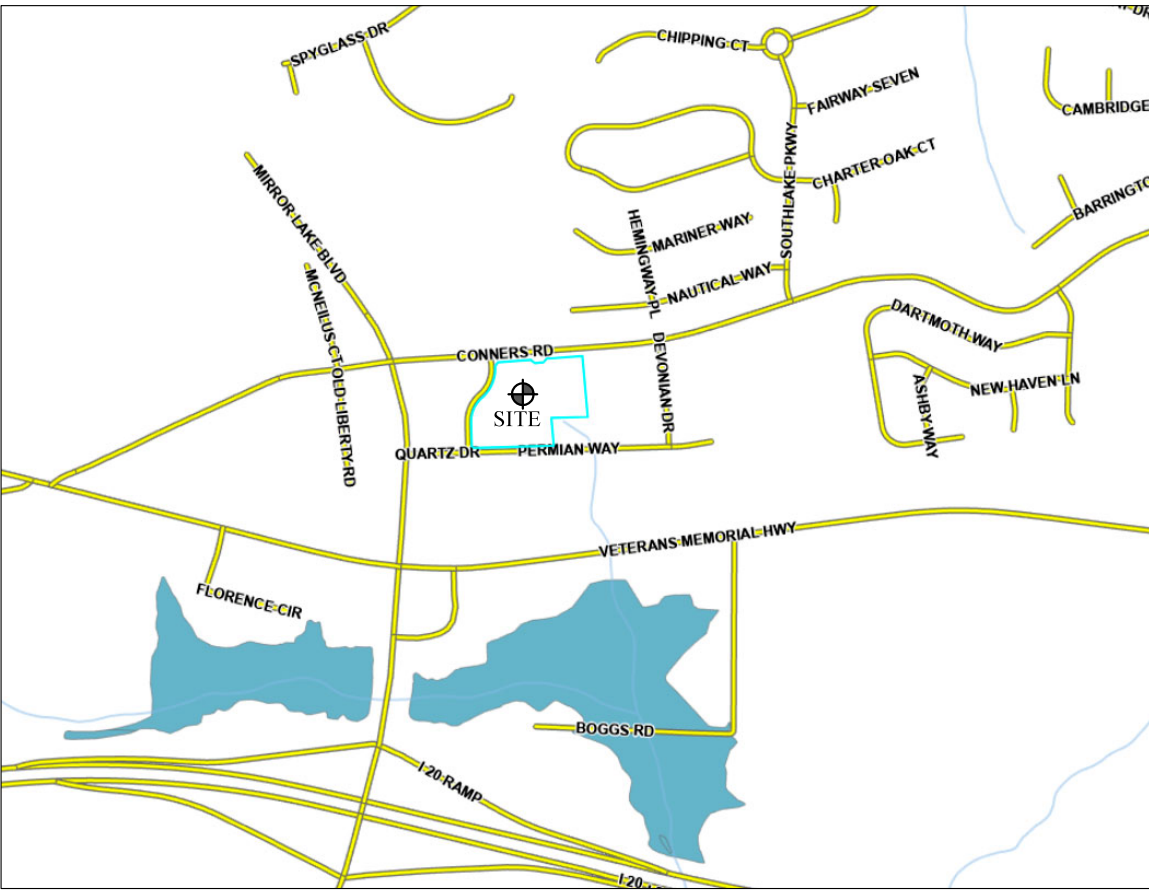
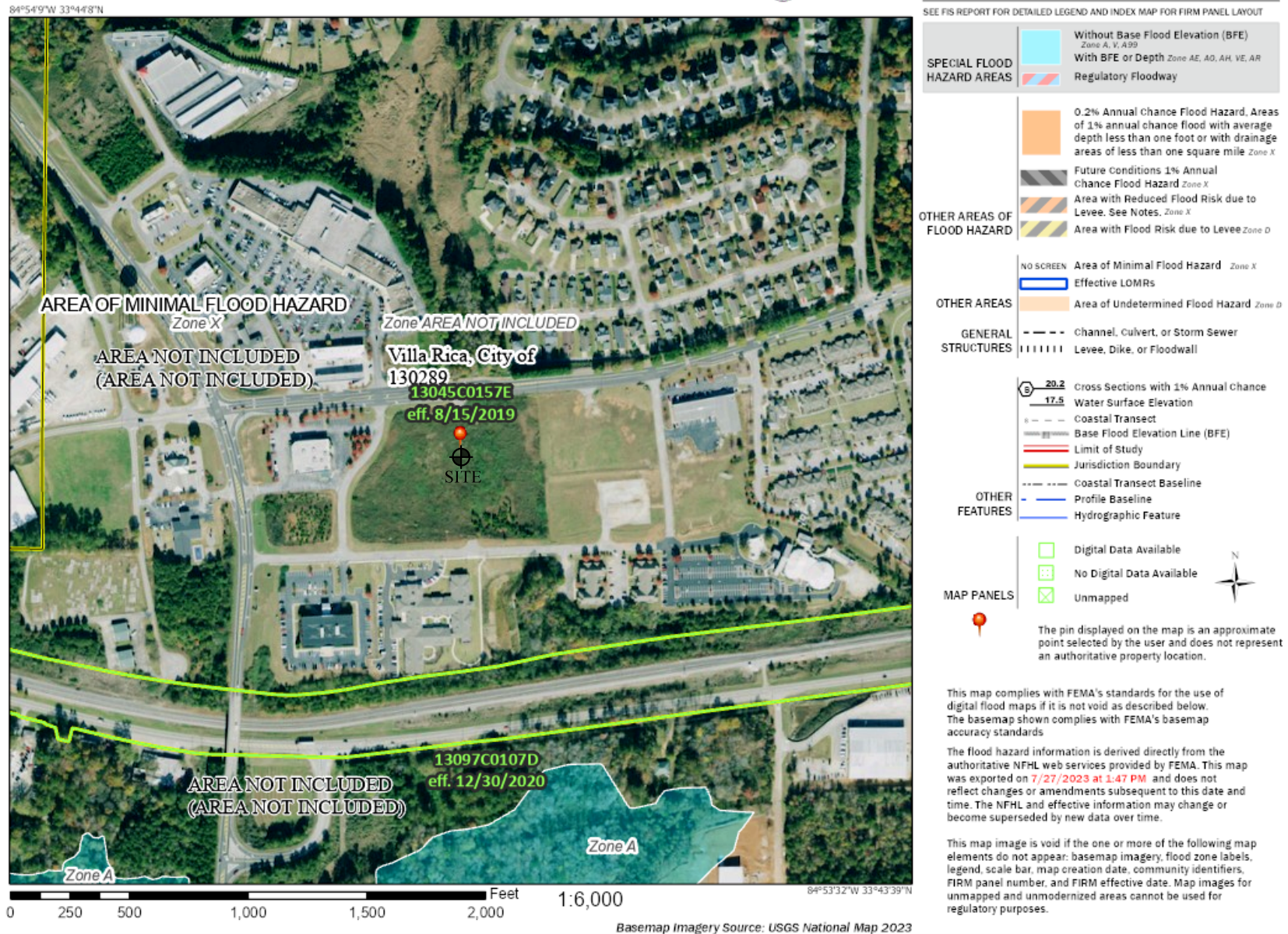
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(b), 7(b)(1), 8, 9 & 13 OF TABLE A THEREOF.

Daniel F. Conroy
DANIEL F. CONROY - R.L.S.# 2350
GEORGIA REG. LAND SURVEYOR NO. 2350
FOR THE FIRM BOUNDARY ZONE, INC.

07/27/2023
DATE

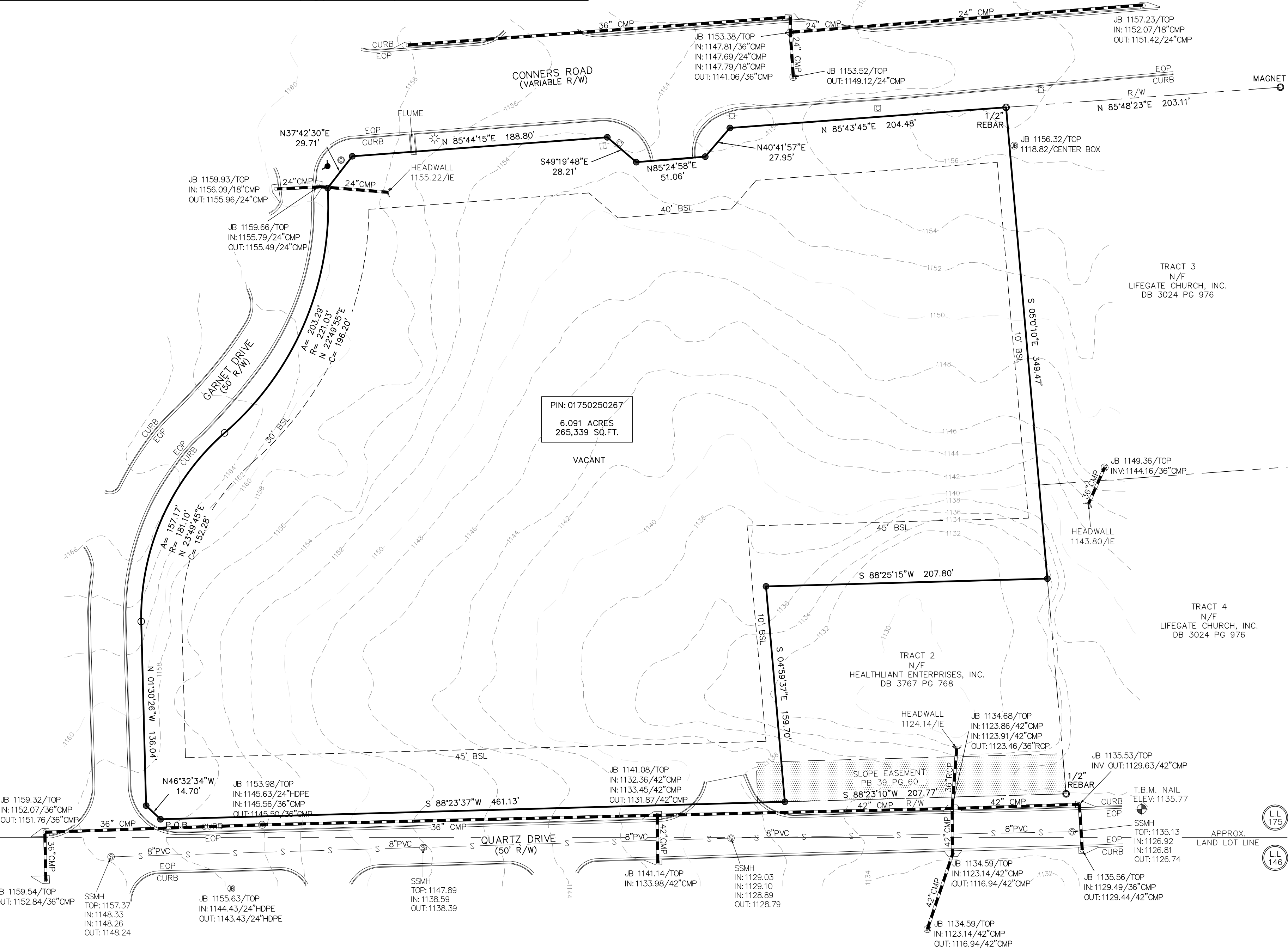
PURSUANT TO RULE 180-6-09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED ON FACTS AND KNOWLEDGE KNOWN TO THE LAND SURVEYOR AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

National Flood Hazard Layer FIRMette



FLOOD STATEMENT

BY GRAPHIC PLOTTING ONLY, I HAVE EXAMINED THE INTERMEDIATE REGIONAL FLOOD PANEL CURRENTLY AVAILABLE AND FOUND THAT THE PROPERTY IN QUESTION IS IN THE ZONE 'X' FLOOD HAZARD ZONE ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM), PANEL NUMBER 13045C0157E, WHICH BEARS AN EFFECTIVE DATE OF 08/15/2019, CITY OF VILLA RICA, DOUGLAS COUNTY, GEORGIA.



SITE ADDRESS:

CONNERS ROAD, VILLA RICA, GA 30180
PARCEL ID: 01750250267

TOTAL AREA:

6.091 ACRES OR 265,339 SQUARE FEET

ZONING INFORMATION:

C-2
(COMMERCIAL MEDIUM-DENSITY DISTRICT)

FRONT SETBACK: 40 FT.

SIDE SETBACK: 10 FT.

REAR SETBACK: 45 FT.

MAXIMUM HEIGHT: 60 FT.

THE SURVEYOR IN NO WAY INTENDS TO INTERPRET OR MAKE CONCLUSION REGARDING THE ZONING AND SETBACK DESIGNATION SHOWN HEREON. THIS INFORMATION IS REPORTED FROM PUBLIC INFORMATION OBTAINED FROM CITY OF VILLA RICA, GA PLANNING AND ZONING DEPARTMENT.

INFORMATION WAS OBTAINED ON 07/28/2023.

SURVEYOR'S CERTIFICATE:

1. THIS SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS (i) THE BOUNDARIES AND AREAS OF THE SUBJECT PROPERTY AND THE SIZE, LOCATION AND TYPE OF BUILDINGS AND IMPROVEMENTS THEREON AND THE DISTANCE THEREFROM TO THE NEAREST FACING EXTERIOR PROPERT LINES OF THE SUBJECT PROPERTY; (ii) THE LOCATION OF ALL RIGHT-OF-WAY, EASEMENTS AND ANY OTHER MATTERS OF RECORD (OR OF WHICH I HAVE KNOWLEDGE OR HAVE BEEN ADVISED, WHETHER OR NOT OF RECORD) AFFECTING THE SUBJECT PROPERTY; (iii) THE LOCATION OF THE PARKING AREAS ON THE SUBJECT PROPERTY SHOWING THE NUMBER OF PARKING SPACES PROVIDED THEREBY; (iv) ALL ABUTTING DEDICATED PUBLIC STREETS PROVIDING ACCESS TO THE SUBJECT PROPERTY TOGETHER WITH THE WIDTH AND NAME THEREOF; AND (v) ALL OTHER SIGNIFICANT ITEMS ON THE SUBJECT PROPERTY.
2. EXCEPT AS SHOWN ON THIS SURVEY AND AS NOTED BELOW, THERE ARE NO (i) ENCROACHMENTS UPON THE SUBJECT PROPERTY BY IMPROVEMENTS ON ADJACENT PROPERTY; (ii) ENCROACHMENTS ON ADJACENT PROPERTY, STREETS OR ALLEYS BY ANY IMPROVEMENTS ON THE SUBJECT PROPERTY; (iii) PARTY WALLS, OR (iv) CONFLICTS OR PROTRUSIONS.
3. ADEQUATE INGRESS TO AND EGRESS FROM THE SUBJECT PROPERTY IS PROVIDED BY CONNERS ROAD AND QUARTZ DRIVE; ALL REQUIRED BUILDING SETBACK LINES ON THE SUBJECT PROPERTY ARE LOCATED AS SHOWN HEREON.
4. THE SUBJECT PROPERTY DOES SERVE AND IS SERVED BY ADJOINING PROPERTIES FOR UTILITIES, DRAINAGE, INGRESS AND EGRESS, OR ANY OTHER PURPOSE, EXCEPT AS MAY BE SHOWN ON THIS SURVEY AND AS NOTED BELOW; AND
5. I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP AND FOUND THAT THE SUBJECT PROPERTY IS NOT LOCATED IN ANY SPECIAL FLOOD HAZARD AREA.

Daniel F. Conroy
DANIEL F. CONROY - R.L.S.# 2350
BOUNDARY ZONE, INC. - L.S.F.#839
800 SATELLITE BLVD, SUWANEE, GA 30024

07/27/2023
DATE

ALTA/NSPS LAND TITLE SURVEY
PREPARED FOR: AUP ENTERPRISE, LLC
PARCEL ID: 01750250267
LAND LOT 175, 2ND DISTRICT, 5TH SECTION
DOUGLAS COUTNY, GEORGIA - 07/27/2023

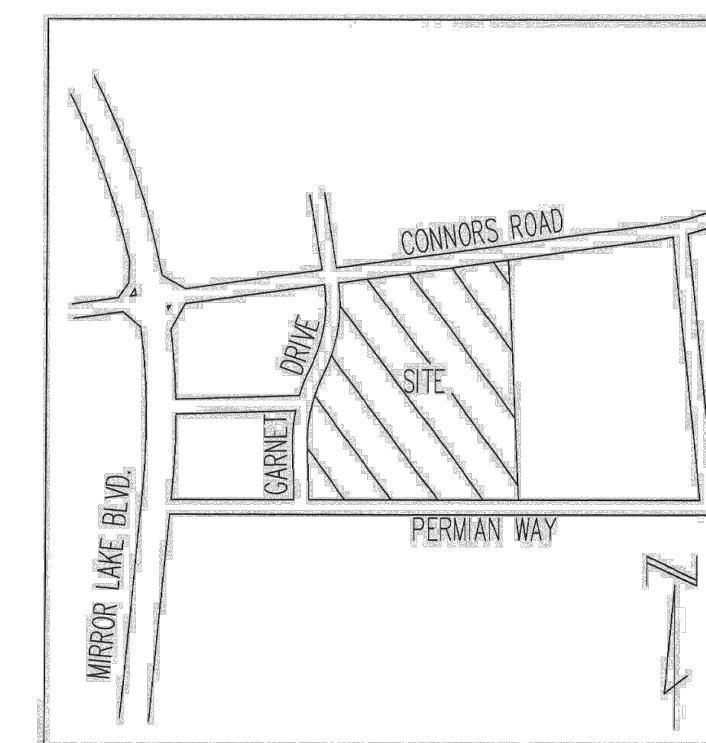
PROJECT
25855-01

SHEET
1 OF 1

CITY OF VILLA RICA UTILITIES DEPARTMENT
185 BARBER INDUSTRIAL COURT
VILLA RICA, GEORGIA 30180
(678) 840-1404

GREYSTONE POWER CORPORATION
4040 BANKHEAD HIGHWAY
DOUGLASVILLE, GEORGIA 30134
770-942-6576

AUSTELL NATURAL GAS SYSTEM
2838 JOE JENKINS BLVD., P.O. BOX 685
AUSTELL, GEORGIA 30106
770-948-1841



SITE LOCATION

ZONED: PD

ZONED: PD

CONNERS ROAD
(VARIABLE R/W)

TREE LEGEND:

-  RED OAK (CANOPY)
-  SUGAR MAPLE (CANOPY)
-  RED MAPLE (CANOPY)
-  AMERICAN SWEET GUM (CANOPY)
-  VILLAGE GREEN ZELKOVA (CANOPY)
-  PIN OAK (CANOPY)
-  GREEN GIANT (CANOPY)

ZONED: PD

CONNERS ROAD
(VARIABLE R/W)

ZONED: PD

SITE PLAN NOTES

1. PROPERTY OWNER / DEVELOPER:
PROPERTY OWNER / DEVELOPER:
AUP ENTERPRISE, LLC
1030 OVERLOOK DRIVE
VILLA RICA, GEORGIA 30180
(705) 200-3078
ATTN: MR. AKASH PATEL
aupdevelopment@gmail.com
2. THE ENGINEER SHALL BE UNDERSTOOD TO MEAN LANDWORKS ASSOCIATES, INC., P.O. BOX 88834, ATLANTA, GEORGIA 30356, WHO IS THE AUTHORIZED REPRESENTATIVE OF THE OWNER. CONTACT PERSON: WILLIAM CRIPPS (770) 513-7100
3. THE OVERALL AREA OF THE PROPERTY IS 6.091 ACRES AND IS CURRENTLY ZONED C2 COMMERCIAL MEDIUM-DENSITY AND BEING REZONED TO C1 COMMERCIAL LOW DENSITY ZONING. BOUNDARY AND TOPOGRAPHIC INFORMATION OF PROPERTY BY BOUNDARY ZONE LLC, DATED JUNE 30, 2023.
4. PARKING SUMMARY:
CONVENIENCE CENTER: MIN. 1 SPACE/250 SQ.FT. = 3,250 SQ. FT. = 13 PARKING SPACES REQUIRED
TOTAL SPACES PROVIDED : 18 PARKING SPACES
RETAIL SPACE: MIN. 1 SPACE/300 SQ.FT. = 1,625 SQ. FT. = 6 PARKING SPACES REQUIRED
TOTAL SPACES PROVIDED TO PARKING SPACES
LIQUOR STORE: MIN. 1 SPACE/300 SQ. FT. = 10,000 SQ. FT. = 34 PARKING SPACES REQUIRED
TOTAL SPACES PROVIDED 34 PARKING SPACES

OVERALL TOTAL PARKING SPACES REQUIRED : 53 PARKING SPACES
OVERALL TOTAL PARKING SPACES PROVIDED : 62 PARKING SPACES
5. UNLOADING SPACES PROVIDED : CONVENIENCE CENTER = 1 SPACE, LIQUOR STORE = 1 SPACE
6. WATER SOURCE FOR THIS PROJECT WILL BE PROVIDED BY THE CITY OF VILLA RICA UTILITIES DEPARTMENT.
7. SANITARY SEWER SOURCE FOR THIS PROJECT WILL BE PROVIDED BY THE CITY OF VILLA RICA UTILITIES DEPARTMENT.
8. STORMWATER MANAGEMENT FOR THIS PROPOSED DEVELOPMENT WILL BE PROVIDED FOR IN A PROPOSED ON-SITE WATER QUALITY POND AND AN EXISTING OFF-SITE STORMWATER MANAGEMENT POND.
9. ALL DIMENSIONS ARE SHOWN TO BE TO "BACK OF CURB" OR OTHERWISE SPECIFIED.
10. ALL BUFFERS AND TREE SAVE AREAS ARE TO BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
11. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE [A, AE, SHADED ZONE X] AS DEFINED BY F.I.R.M. COMMUNITY PANEL NUMBER 13045001576, DATED 08/15/2019.
12. THERE ARE NO EXISTING WETLANDS AREAS ON THE SUBJECT 6.091 ACRE PROPERTY.
13. IMPERVIOUS COVERAGE OF IMPROVEMENTS – PROPERTY: 6.091 ACRES, PROPOSED IMPROVEMENTS: 1.87 ACRES. PERCENTAGE OF IMPERVIOUS COVERAGE = 31%
14. PROPOSED BUILDING SIZES AND HEIGHTS:
–LIQUOR STORE = 1 STORY–1000 SQ. FT. 25 VF WITH 5 VF PARAPET = 28 TOTAL VERTICAL FEET.
–CONVENIENCE CENTER = 1 STORY–3250 SQ. FT. 25 VF GASOLINE CANOPY = 20 VF.
–RETAIL SHOP = 1 STORY–1,625 SQ. FT. 25 VF
15. ALL CONSTRUCTION MUST CONFORM TO THE CITY OF VILLA RICA DEVELOPMENT STANDARDS AND REGULATIONS.

811

Know what's below.
Call before you dig.

SCALE: 1"=40'

SCALE: 1" = 40'

40 20 0 40 80

30 10 20 60

24 HOUR CONTACT: MR. AKASH PATEL
(205) 200-3078

© Copyright Landworks Associates, Inc.

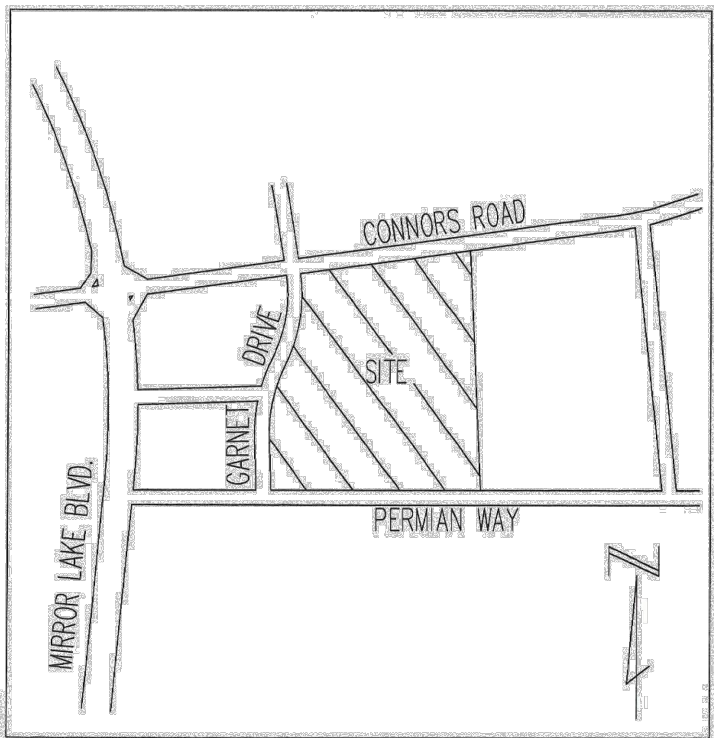
- TREE LEGEND:**
- RED OAK (CANOPY)
 - SUGAR MAPLE (CANOPY)
 - RED MAPLE (CANOPY)
 - AMERICAN SWEET GUM (CANOPY)
 - VILLAGE GREEN ZELKOVA (CANOPY)
 - PIN OAK (CANOPY)
 - GREEN GIANT (CANOPY)

UTILITY PROVIDERS LIST

CITY OF VILLA RICA UTILITIES DEPARTMENT
185 BARBER INDUSTRIAL COURT
VILLA RICA, GEORGIA 30180
(678) 840-1404

GREYSTONE POWER CORPORATION
4040 BANKHEAD HIGHWAY
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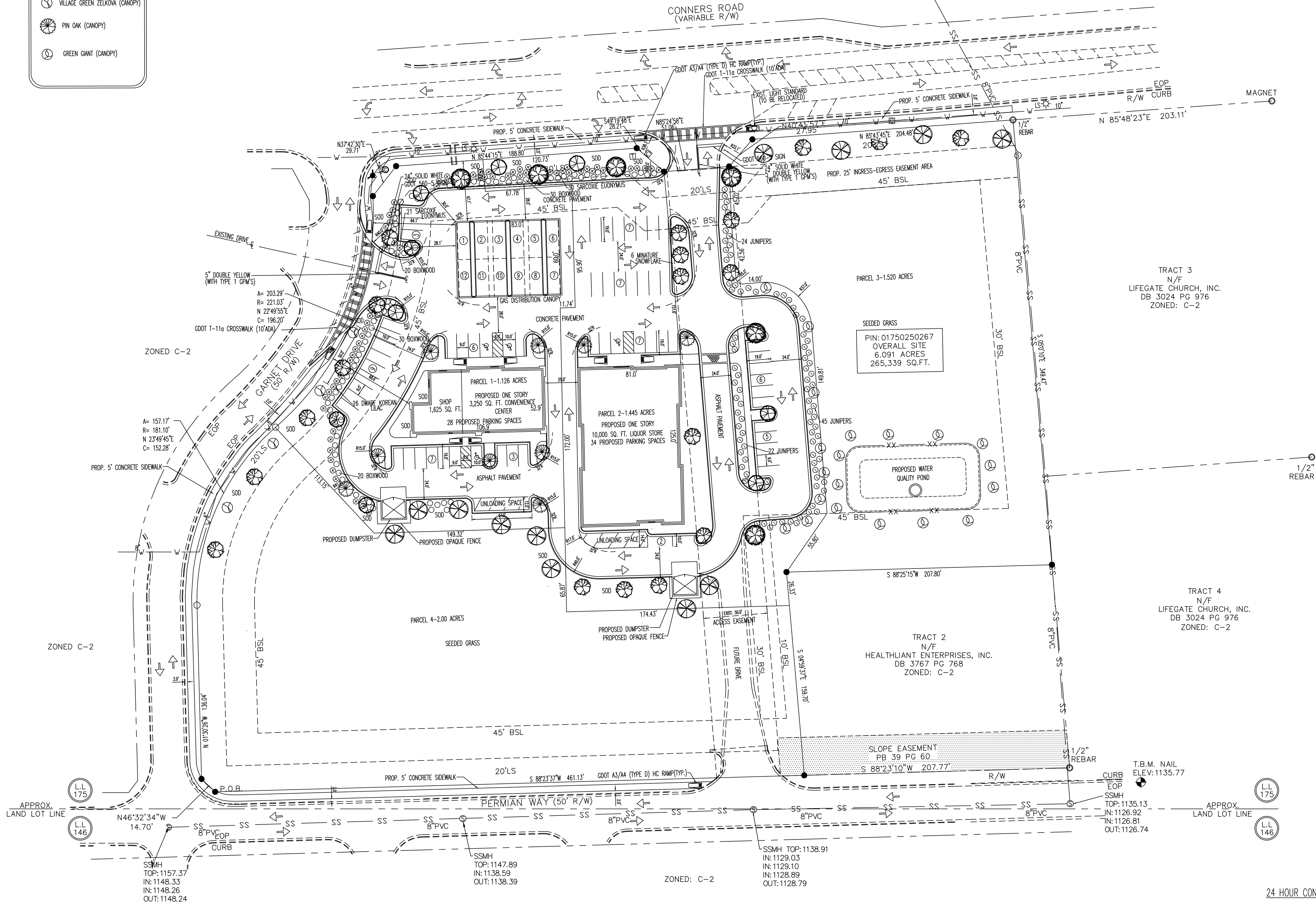


SITE LOCATION

ZONED: PD

ZONED: PD

CONNORS ROAD
(VARIABLE R/W)



SITE PLAN NOTES

- PROPERTY OWNER / DEVELOPER:
PROPERTY OWNER / DEVELOPER:
AUP ENTERPRISE, LLC
1030 OVERLOOK DRIVE
VILLA RICA, GEORGIA 30180
(205) 200-3078
ATTN: MR. AKASH PATEL
aupdevelopment@gmail.com
- THE ENGINEER SHALL BE UNDERSTOOD TO MEAN LANDWORKS ASSOCIATES, INC., P.O. BOX 88834, ATLANTA, GEORGIA 30356, WHO IS THE AUTHORIZED REPRESENTATIVE OF THE OWNER. CONTACT PERSON: WILLIAM CRIPPS (770) 513-7100
- THE OVERALL AREA OF THE PROPERTY IS 6.091 ACRES AND IS CURRENTLY ZONED C2 COMMERCIAL MEDIUM-DENSITY AND BEING REZONED TO C1 COMMERCIAL LOW DENSITY ZONING. BOUNDARY AND TOPOGRAPHIC INFORMATION OF PROPERTY BY BOUNDARY ZONE LLC, DATED JUNE 30, 2023.
- PARKING SUMMARY:
CONVENIENCE CENTER: MIN. 1 SPACE/250 SQ. FT. : 3,250 SQ. FT. = 13 PARKING SPACES REQUIRED
TOTAL SPACES PROVIDED : 18 PARKING SPACES
RETAIL SPACE: MIN. 1 SPACE/300 SQ. FT. : 1,625 SQ. FT. = 6 PARKING SPACES REQUIRED
TOTAL SPACES PROVIDED 10 PARKING SPACES
LIQUOR STORE: MIN. 1 SPACE/300 SQ. FT. : 10,000 SQ. FT. = 34 PARKING SPACES REQUIRED
TOTAL SPACES PROVIDED 34 PARKING SPACES

OVERALL TOTAL PARKING SPACES REQUIRED : 53 PARKING SPACES
OVERALL TOTAL PARKING SPACES PROVIDED : 62 PARKING SPACES
- UNLOADING SPACES PROVIDED : CONVENIENCE CENTER = 1 SPACE, LIQUOR STORE = 1 SPACE
- WATER SOURCE FOR THIS PROJECT WILL BE PROVIDED BY THE CITY OF VILLA RICA UTILITIES DEPARTMENT.
- SANITARY SEWER SOURCE FOR THIS PROJECT WILL BE PROVIDED BY THE CITY OF VILLA RICA UTILITIES DEPARTMENT.
- STORMWATER MANAGEMENT FOR THIS PROPOSED DEVELOPMENT WILL BE PROVIDED FOR IN A PROPOSED ON-SITE WATER QUALITY POND AND AN EXISTING OFF-SITE STORMWATER MANAGEMENT POND.
- ALL DIMENSIONS ARE SHOWN TO BE TO "BACK OF CURB" OR OTHERWISE SPECIFIED.
- ALL BUFFERS AND TREE SAVE AREAS ARE TO BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
- THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE [A, AE, SHADED ZONE X] AS DEFINED BY F.I.R.M. COMMUNITY PANEL NUMBER 13045C0157E, DATED 08/15/2019.
- THERE ARE NO EXISTING WETLANDS AREAS ON THE SUBJECT 6.091 ACRE PROPERTY.
- IMPERVIOUS COVERAGE OF IMPROVEMENTS - PROPERTY: 6.091 ACRES, PROPOSED IMPROVEMENTS: 1.87 ACRES. PERCENTAGE OF IMPERVIOUS COVERAGE = 31%
- PROPOSED BUILDING SIZES AND HEIGHTS:
-LIQUOR STORE = 1 STORY-10,000 SQ. FT. 25 VF WITH 5 VF PARAPET = 29 TOTAL VERTICAL FEET.
-CONVENIENCE CENTER = 1 STORY-3,250 SQ. FT. 25 VF GASOLINE CANOPY = 20 VF.
-RETAIL SHOP = 1 STORY-1,625 SQ. FT. 25 VF.
- ALL CONSTRUCTION MUST CONFORM TO THE CITY OF VILLA RICA DEVELOPMENT STANDARDS AND REGULATIONS.

Landworks Associates, Inc.

P.O. BOX 88834

ATLANTA, GEORGIA 30356

(770) 513-7100 environments2020@gmail.com

"Celebrating 30 Years Of Providing Dedicated Service To Our Clients!"

PROJECT DESCRIPTION

CONNORS ROAD RETAIL BUSINESS CENTER
LAND LOT 175, 2ND DISTRICT, 5TH SECTION
CITY OF VILLA RICA, DOUGLAS COUNTY, GEORGIA

SHEET TITLE

REZONING
PLAN

DATE: 06-26-24

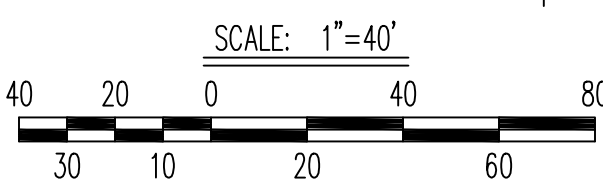
JOB: 573-230301

DRW: WJC

CHK: JCA

SHEET NUMBER

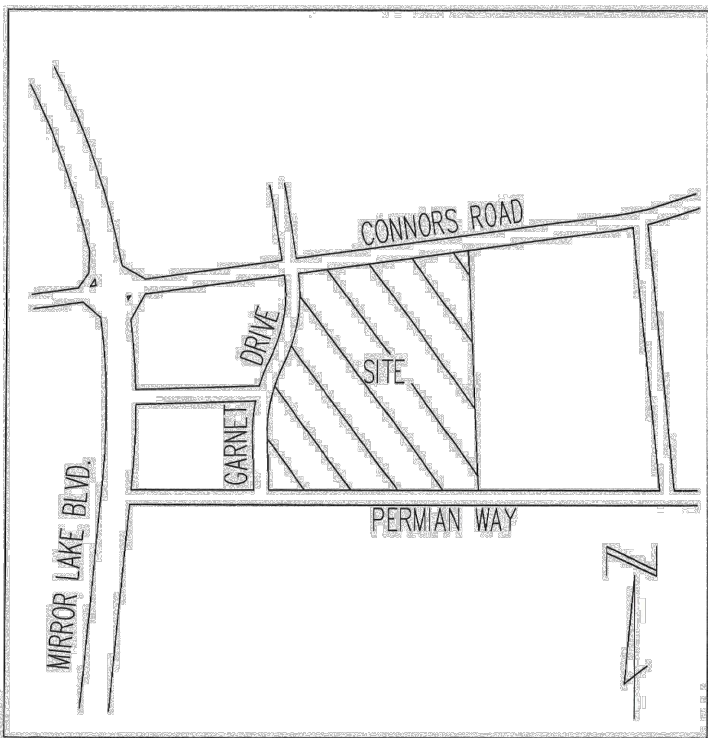
C-1A



24 HOUR CONTACT: MR. AKASH PATEL
(205) 200-3078

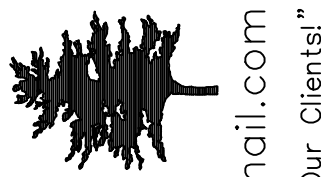
UTILITY PROVIDERS LIST

CITY OF VILLA RICA UTILITIES DEPARTMENT
185 BARBER INDUSTRIAL COURT
VILLA RICA, GEORGIA 30180
(678) 840-1404
GREYSTONE POWER CORPORATION
4040 BANKHEAD HIGHWAY
DOUGLASVILLE, GEORGIA 30134
770-942-6576
AUSTELL NATURAL GAS SYSTEM
2838 JOE JENKINS BLVD., P.O. BOX 685
AUSTELL, GEORGIA 30106
770-948-1841



SITE LOCATION

GSWCC LEVEL II
CERT NO. 001389



Landworks Associates, Inc.

P.O. BOX 88834
ATLANTA, GEORGIA 30356
(770) 513-7100
environments2020@gmail.com
"Celebrating 30 Years Of Providing Dedicated Service To Our Clients!"

CONNORS ROAD RETAIL BUSINESS CENTER
LAND LOT 175, 2ND DISTRICT, 5TH SECTION
CITY OF VILLA RICA, DOUGLAS COUNTY, GEORGIA

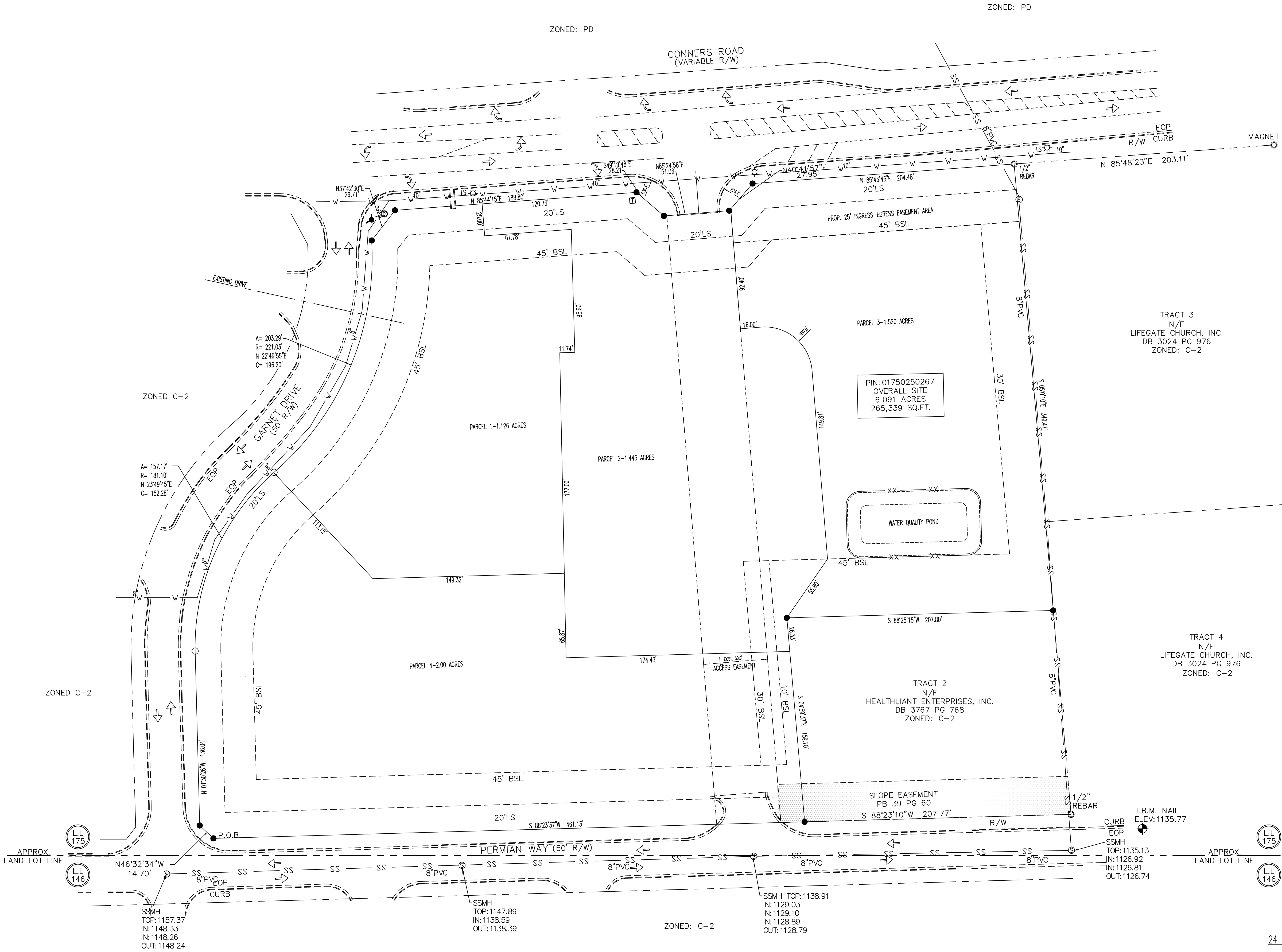
PROJECT DESCRIPTION

SHEET TITLE
PARCEL PLAN

DATE: 07-29-24
JOB: 573-230301
DRW: WJC
CHK: JGA

SHEET NUMBER

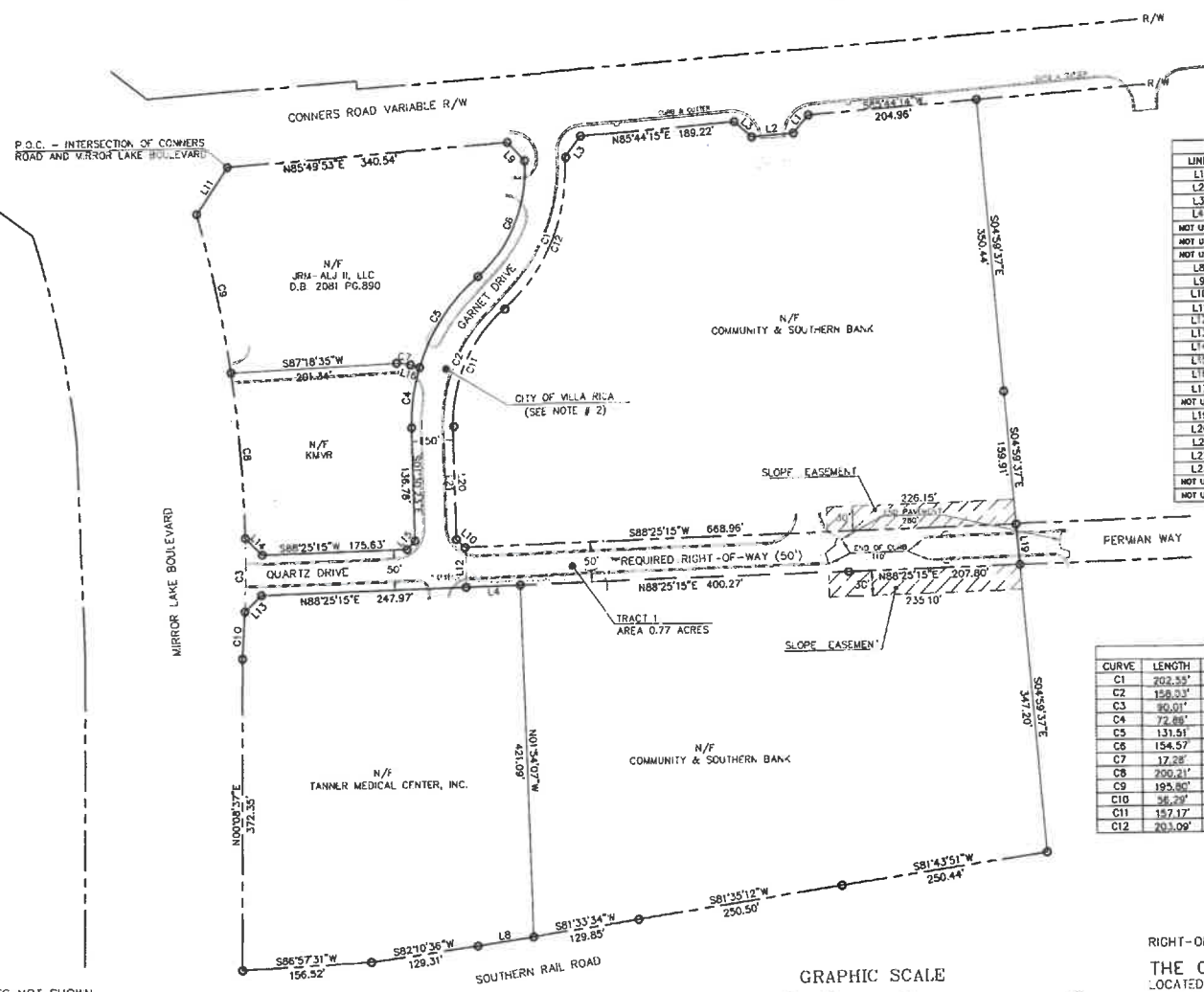
C-1A



Plat Pbk 3A PG 60

Doc ID: 00310580001 Type: PLAT
Recorded: 06/26/2014 at 00:30:00 AM
Fee Amt: \$8.00 Page 1 of 1
Douglas County Georgia
TAMMY M HOWARD Clerk Superior Court
Pg 39 Pg 60

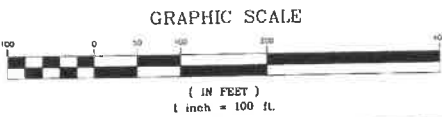
- LEGEND
- 101 HOUSE NUMBER
 - 10 LOT NUMBER
 - PROPERTY CORNER
 - UTILITY POLE
 - R/W MONUMENT
 - SANITARY SEWER
 - POWER BOX
 - TELEPHONE BOX
 - CABLE TV BOX
 - OVERHEAD POWER
 - X- FENCELINE
 - IRON PIN FOUND (1/2" REBAR)
 - UNLESS NOTED
 - IRON PIN PLACED (1/2" REBAR)
 - UTP OPEN TOP PIPE
 - 223 LANDLOT NUMBER



LINE TABLE		
LINE	LENGTH	BEARING
L1	28.22'	S40°41'57\"
L2	30.43'	S25°24'54\"
L3	28.21'	N48°19'48\"
L4	65.29'	N88°25'15\"
NOT USED		
NOT USED		
NOT USED		
L8	82.82'	S81°33'34\"
L9	30.30'	S43°48'00\"
L10	14.12'	S46°32'34\"
L11	68.13'	N33°54'36\"
L12	50.00'	S00°02'24\"
L13	28.18'	S46°06'14\"
L14	28.98'	N45°11'22\"
L15	14.10'	S43°31'31\"
L16	11.80'	S72°56'40\"
L17	1.41'	S88°25'15\"
NOT USED		
L19	30.09'	N04°59'17\"
L20	136.23'	S01°30'23\"
L21	135.66'	S01°30'23\"
L22	1.00'	S04°12'45\"
L23	14.70'	S46°32'34\"
NOT USED		
NOT USED		

CURVE TABLE			
CURVE	LENGTH	CHORD	RADIUS
C1	202.55'	195.47'	218.89'
C2	158.33'	153.12'	182.10'
C3	90.00'	90.00'	1542.00'
C4	72.88'	72.88'	232.14'
C5	131.91'	129.76'	232.14'
C6	154.57'	149.30'	170.00'
C7	17.28'	17.19'	50.00'
C8	200.21'	200.07'	1542.00'
C9	195.80'	195.67'	1542.00'
C10	26.29'	26.29'	1542.00'
C11	157.17'	152.88'	181.10'
C12	203.09'	198.92'	220.99'

- NOTE: 1. ALL IMPROVEMENTS NOT SHOWN.
2. PUBLIC RIGHT OF WAY PER THE CITY OF VILLA RICA
3. REQUIRED RIGHT-OF-WAY



RIGHT-OF-WAY ACQUISITION PLAT FOR:
THE CITY OF VILLA RICA
LOCATED IN LL 175 DISTRICT 2 SECTION 5
DOUGLAS COUNTY, GEORGIA
SCALE: 1" = 100' DATE: 04-30-2013
JN031012 REV: 06-11-2014
DWG# 3-13-045 Time 9:30 AM
TAMMY M. HOWARD, Clerk
Douglas Co., GA

CLOSURE
THE FIELD DATA UPON THIS MAP OR PLAT IS BASED ON A CLOSURE PRECISION OF ONE FOOT IN 10,000. 1/2" FEET AND AN ANGULAR ERROR OF 1/2" PER ANGLE POINT, AND WAS ACQUIRED USING CRANFORD RULE.
WAGON ADOLC WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

- GENERAL NOTES**
- NO TITLE OR ABSTRACT RESEARCH WAS PERFORMED BY THE UNDERSIGNED FOR THIS SURVEY.
 - WARNING: THIS PLAT OF SURVEY MAKES NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OF ANY EASEMENTS OF ANY TYPE AND ABSTRACT OR TITLE SEARCH HAS BEEN PERFORMED TO DISCOVER THE EXISTENCE OF ANY EASEMENTS.
 - NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OR LOCATION OF UNDERGROUND STRUCTURES IS IMPLIED. ONLY THOSE ITEMS SHOWN.
 - NO WARRANTY OR GUARANTEE AS TO ENVIRONMENTAL ISSUES HAS BEEN IMPLIED. ONLY THOSE ITEMS SHOWN HEREON HAVE BEEN ADDRESSED.
 - ONLY ACTS OF POSSESSION, IF ANY, THAT ARE VISIBLE FROM OBSERVATION OF THE PROPERTY ARE SHOWN HEREON. NO WARRANTY OR GUARANTEE IS IMPLIED AS TO THE EXISTENCE OF ACTS OF POSSESSION BY ADJOINERS TO THE LANDS SHOWN AND DESCRIBED HEREON.
 - THE ACCEPTANCE OF THE PLAT HEREON AND MONUMENTS USED AND SET DURING THE PERFORMANCE OF THE FIELD SURVEY HEREBY LIMIT THE FORT OR CONTRACT HEREIN TO AN AMOUNT NOT TO EXCEED THE FEE CHARGED. IF ADDITIONAL LIABILITY IS REQUIRED BY THE CLIENT, THEN AN AMOUNT OF 1% OF THE TOTAL LIABILITY REQUEST MUST BE PAID TO THE UNDERSIGNED PRIOR TO COMMENCEMENT OF WORK.
 - NO WARRANTY OR GUARANTEE AS TO COUNTY OR CITY ORDINANCE (SUCH AS TO INCLUDE SET BACKS, HAS BEEN IMPLIED. ONLY THOSE ITEMS SHOWN HAVE BEEN ADDRESSED.

IN MY OPINION, THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED SUBSTANTIALLY IN CONFORMITY WITH THE SURVING STANDARDS AND REQUIREMENTS OF G.S.A.
GA REG. L.S. #1833 DOUGLAS C. CRANFORD



GEORGIA & WEST, INC.
ENGINEERING • LAND SURVEYING • LAND PLANNING
105 CORPORATE DRIVE
CARROLLTON, GA 30117
OFFICE (770) 834-4894
FAX (770) 834-1005
E-MAIL: mailto:georgiaandwest.com

28.

50.23

28

$a^2 + b^2 = c^2$

Filed 8-5-2014
Time 9:30 AM
Tammy M. Howard, Clerk
Douglas Co., GA

Doc ID: 007307730005 Type: RWD
Recorded: 08/05/2014 at 09:30:00 AM
Fee Amt: \$18.00 Page 1 of 5
Transfer Tax: \$0.00
Douglas County Georgia
TAMMY M HOWARD Clerk Superior Court
BK **3234** PG **271-275**

Jeff
After recording, please return to:

Tisinger Vance, P.C.
Attn: C. David Mecklin, Jr.
100 Wagon Yard Plaza
Carrollton, Georgia 30117

(OREO#2232/2233)

STATE OF GEORGIA

COUNTY OF CARROLL

RIGHT-OF-WAY DEED and SLOPE EASEMENT

THIS INDENTURE, made this 8th of July, 2014, between **COMMUNITY & SOUTHERN BANK ("Grantor")**, and the **CITY OF VILLA RICA**, a public body corporate and politic organized under the laws of the State of Georgia ("**Grantee**" or "**City**");

WITNESSETH:

THAT, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby transfer and convey unto Grantee all Grantor's right, title and interest in and to that land in **Douglas** County, Georgia being more fully described below, together with all improvements located thereon, if any, together with all rights, members and appurtenances in any manner appertaining or belonging to said property (collectively the "**Property**");

All that tract or parcel of land lying and being in Land Lot 175 of the 2nd District, 5th Section of Douglas County, Georgia, containing 0.77 acres, more or less, and identified as Tract 1 on that Right-of-Way Acquisition Plat for The City of Villa Rica, dated April 30, 2013, prepared by Georgia & West, Inc., certified by Douglas C. Crawford, Georgia Registered Land Surveyor No. 1833, a copy of which is recorded in Plat Book 39, page 60, Douglas County, Georgia, Public Real Estate Records, which plat and the record thereof are by reference

incorporated herein (the "Survey"). Said property is more particularly described as follows: TO FIND THE POINT OF BEGINNING, COMMENCE at the intersection of the southerly right-of-way of Conners Road (Variable R/W) with the easterly right-of-way of Mirror Lake Boulevard, and from said point of intersection, running along the easterly right of way of Mirror Lake Boulevard south 33 degrees 54 minutes 36 seconds west a distance of 68.13 feet to a corner; thence continuing along said right-of-way along a curve having a radius of 1542.00 feet, a length of 195.80 feet, a chord distance of 195.67 feet on a bearing of south 12 degrees 15 minutes 59 seconds east to a point; thence continuing along said right-of-way along a curve having a radius of 1542.00 feet, a length of 200.21 feet, a chord distance of 200.07 feet on a bearing of south 04 degrees 54 minutes 33 seconds east to a point; thence continuing along said right-of-way along a curve having a radius of 1542.00 feet, a length of 90.01 feet, a chord distance of 90.00 feet on a bearing of south 00 degrees 28 minutes 58 seconds west to a corner; thence leaving said right-of-way of Mirror Lake Boulevard and running north 46 degrees 06 minutes 14 seconds east a distance of 28.18 feet to a corner; thence running north 88 degrees 25 minutes 15 seconds east a distance of 247.97 feet to the POINT OF BEGINNING; from said point of beginning, running north 88 degrees 25 minutes 15 seconds east a distance of 65.29 feet to a point; thence continuing north 88 degrees 25 minutes 15 seconds east a distance of 400.27 feet to a point; thence continuing north 88 degrees 25 minutes 15 seconds east a distance 207.80 feet to a corner; thence running north 04 degrees 59 minutes 37 seconds west a distance of 50.09 feet to a corner; thence running south 88 degrees 25 minutes 15 seconds west a distance of 668.96 feet to a corner; thence running south 00 degrees 02 minutes 24 seconds west a distance of 50.00 feet to the point of beginning.

TO HAVE AND TO HOLD the Property unto Grantee forever in fee simple; in order that neither Grantor nor any person claiming under Grantor shall at any time, by any means or ways, claim or demand any right or title to the Property or any of the rights, members and appurtenances thereof. "Grantor" and "Grantee" shall include their respective heirs, successors and assigns;

THE PROPERTY conveyed hereby is conveyed to Grantee for the purpose of a public road right-of-way for the extension of "Quartz Drive" to connect with "Permian Way," and the Property does hereby become such public road right-of-way.

By acceptance of this Deed, Grantee hereby acknowledges and agrees that:

- (1) The City shall perform all roadway improvements on the Property without contribution from the Grantor.
- (2) The City shall complete the roadway improvements on the Property within one year after the date of acceptance of this Deed by the City as set forth herein below.
- (3) The access rights to the roadway to be located on the Property are not limited.
- (4) The City will not construct a median in the roadway to be located on the Property.
- (5) The City shall allow curb cuts at the locations designated on the Survey in connection with future development at no charge. Any curb cuts requested at locations not shown on the Survey will be subject to the City's then existing road policies. Grantee acknowledges that any curb cut onto Conners Road will be right in and right out only.

Grantor does hereby grant unto Grantee a non-exclusive perpetual thirty foot (30') wide slope easement over the two areas adjoining the Property and identified as "Slope Easement" on the Survey (the "Slope Easement Area") for the purpose of entering upon said land and grading and re-contouring the Slope Easement Area.

IN WITNESS WHEREOF, Grantor has executed this Deed under seal on the day and year first above written.

GRANTOR:

Signed, sealed and delivered
in the presence of:

COMMUNITY & SOUTHERN BANK

Unofficial Witness

By:  (BANK SEAL)

Name: Catherine S. Benitez

Title: Vice President

Notary Public

My commission expires:



ACCEPTED this ____ day of _____, 2014
BY:

CITY OF VILLA RICA

By: _____

Name: _____

Title: _____

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

My commission expires:
[NOTARY SEAL]

Grantor does hereby grant unto Grantee a non-exclusive perpetual thirty foot (30') wide slope easement over the two areas adjoining the Property and identified as "Slope Easement" on the Survey (the "Slope Easement Area") for the purpose of entering upon said land and grading and re-contouring the Slope Easement Area.

IN WITNESS WHEREOF, Grantor has executed this Deed under seal on the day and year first above written.

GRANTOR:

Signed, sealed and delivered
in the presence of:

COMMUNITY & SOUTHERN BANK

Unofficial Witness

By: _____
Name: _____
Title: Vice President

Notary Public
My commission expires:

(CORPORATE SEAL)

(NOTARY SEAL)

ACCEPTED this 1 day of July, 2014
BY:

CITY OF VILLA RICA

By: _____
Name: J. Allen Collins
Title: Mayor

Signed, sealed and delivered
in the presence of:

Brandi Turner
Unofficial Witness

Barbara Danielle
Notary Public

My commission expires: 1-20-18

[NOTARY SEAL]





AUG 14 2014
Tammy M. Howard
Clerk Superior Court
Douglas County, GA



CITY OF VILLA RICA

Planning Commission Meeting Agenda Item Cover Sheet September 17, 2024

SUBJECT: VA-10-24 Two Variances request by Prime Construction for a proposed private townhome development located on Villa Trace Road.

CITY COUNCIL AGENDA DATE: September 17, 2024

DATE: September 5, 2024

PREPARED BY: Shaun Daniels, City Planner

PUBLIC HEARING REQUIRED: Yes

PURPOSE: Prime Construction has requested variances from encroaching within an impervious stream buffer of 631 square feet and reducing the front setback for a unit on Villa Trace Road from 35 feet to 15 feet.

BACKGROUND:

VA-10-24: The applicant proposes to develop 67 Multifamily Low-Density (MF1) zoned townhomes on a 6.09-acre undeveloped parcel on Villa Trace Road. A creek runs north-south through the center of the parcel. The property is located approximately 60 feet north of South Lassetter Circle, at the corner of North Lassetter Circle and Villa Trace Road.

In 2022, a developer requested multiple variances to construct three two-story multifamily residential buildings with 48 units. The City Council unanimously approved a variance for the 608-square-foot encroachment into the 75-foot buffer (VA-08-22).

Thirty-one townhomes will be in the southern portion, five in the southeastern portion, and 32 in the northern portion. A 350-linear-foot retaining wall will be built behind units 39-51. The applicant requests to reduce the front setback for Lot 33 to 15 feet and encroach an additional 23 feet within the impervious buffer.

STAFF RECOMMENDATION:

Variance #1: Reduce the front building setback from 35 feet to 15 feet on Villa Trace Road (specifically for Lot 33, which will be developed with this setback).

- **Section 4.04 – Lot Standards:** Requires Multi-Family Low Density (MF1) front setbacks on local roads (LR) to be 35 feet.
 - **Applicant Proposal:** 15 feet
 - **Staff Recommendation:** **Denial**
 - **Reason:** Self-imposed; allowing Unit 33 to be built 20 feet closer to Villa Trace Road will result in Unit 33 not being uniform with the other units on Villa Trace Road.

Variance #2: Allow lots 39, 41, 43, 49-51, and 55 to encroach on the impervious setback. Total encroachment equals 631 square feet.

- **Section 900 – Stream Buffer Protection:**
 - **Applicant Proposal:** Encroach the impervious setback by 631 square feet (23 feet).
 - **Staff Recommendation:** **Approve**
 - **Reason:**
 - City Council previously approved a 608-square-foot encroachment within the impervious buffer in 2022.
 - The current request for an additional 23 square feet, totaling 631 square feet, is minimal and can be considered necessary for the development of an undeveloped parcel.

VA-10-24 MOTION:

- I move to approve the variance proposal made by Prime Construction to encroach within the impervious stream buffer of 631 square feet.
- I move to deny Prime Construction's variance proposal to reduce the 35-foot front setback on Villa Trace Road for Lot 33 to 15 feet.



August 28, 2024

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

Re: Planning Report
Prime Construction
VA-10-24
Villa Trace
Land Lot 145, District 2, Section 5
Parcel # **V02 0070149**
Acreage: 13.11
Ward: 5
City Council Member: Danny Carter
Planning Board Member: Ashley Head
City of Villa Rica, Carroll County, Georgia

Dear Ms. Cox:

The planning report is prepared in response to Prime Construction's variance application for the property located at Villa Trace (Parcel #V02 0070149). It aims to analyze the variance(s) request and make recommendations for the Planning Commission's consideration.

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

1. Application for a Variance, dated June 6, 2024 (4 pages);
2. Applicant Statement, by Trey Robinson, dated May 21, 2024.
3. Warranty Deed, dated August 26, 2024, signed by Ridge Cole (3 pages);
4. Property Site plan, dated June 6, 2024, prepared by The Southeast Civil Group (2 pages).



Villa Trace (Parcel # V02 0070149)

VA-07-24

August 28, 2024

A. Existing Conditions

The parcel is currently zoned Multifamily Low-Density (MF1) and features an undeveloped wooded lot. The property has a sloping topography with a low grade towards the eastern side. A creek runs through the center of the parcel in a north-south direction. The subject property is located on Villa Trace Road, approximately 60 feet north of South Lassetter Circle and at the corner of North Lassetter Circle and Villa Trace Road. North of the applicant's subject parcel is the City of Villa Rica's Wastewater and Filter Plant. West of the applicant's site is the new single-family attached (SFA) Embry Starlight development, which is currently under construction. East of the site is the Waterford residential neighborhood, and to the south is the Willow Creek Apartments. The parcel is situated within the Carroll County portion of the city and does not border a city boundary or unincorporated area.

The parcel is bordered by Industrial Medium-Density (I2) zoned property to the north and east, and Single-Family Agricultural (AG) and Single-Family Suburban (R1) zoned properties to the west. To the south, the property is adjacent to an existing apartment complex also zoned MF1. The surrounding properties consist of a mix of residential and industrial uses.

Surrounding Properties:

TABLE 1 – SURROUNDING LAND USES		
	Current Zoning	Land Use Character Area
North	Industrial Medium-Density (I2)	Industrial
East	Single-family Attached (SFA)	Industrial
South	Commercial, Low-Density (C1)	Suburban Village
West	Agricultural (AG) and Single-Family Suburban (R1)	Suburban Village



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

B. Site History

The parcel has remained vacant and undeveloped throughout its existence. In 2020, the property was rezoned from Multifamily (R14) under the Unified Development Code (UDC) to Multifamily Low-Density (MF1) as part of a citywide rezoning effort.

In 2022, a developer proposed constructing three two-story multifamily residential apartment buildings with a total of 48 units. The developer requested a deviation from Section 9.03(2)(C) of the city's zoning ordinance, which mandates that all multifamily buildings "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." Additionally, the developer sought relief from the city's 75-foot impervious buffer requirement along the creek. The proposal included constructing two retaining walls within the buffer, one measuring 363 linear feet and the other 245 linear feet, totaling 608 linear feet. The total encroachment proposed was 608 square feet. The City Council unanimously approved (5-0) a variance request for the 608-square-foot encroachment into the 75-foot buffer to construct the retaining walls (VA-08-22).



C. Proposed Development

The applicant proposes constructing a total of 67 private single-family attached townhomes, each with a projected 5,000 square feet of living space. The applicant states, the townhomes situated on 24-foot by 40-foot lots. The applicant said, 29 townhomes will be located in the eastern portion of the parcel, 32 townhomes will be located along Villa Trace Road, 6 townhomes will be constructed near the southeastern portion of the parcel. A 350-linear-foot retaining wall will be constructed behind units 39-51 to provide additional buffer support from the stream that runs through the middle of the parcel.

The development will feature 20-foot-wide private street alleys throughout. The applicant has proposed a fire truck/service turn-around alley on the northwest end of the parcel, a 2,800-square-foot field, a picnic/grill area, and a playground in the northeast area of the development. Additionally, 17 parking spaces are proposed in the western area of the development site.

Flood Plain

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

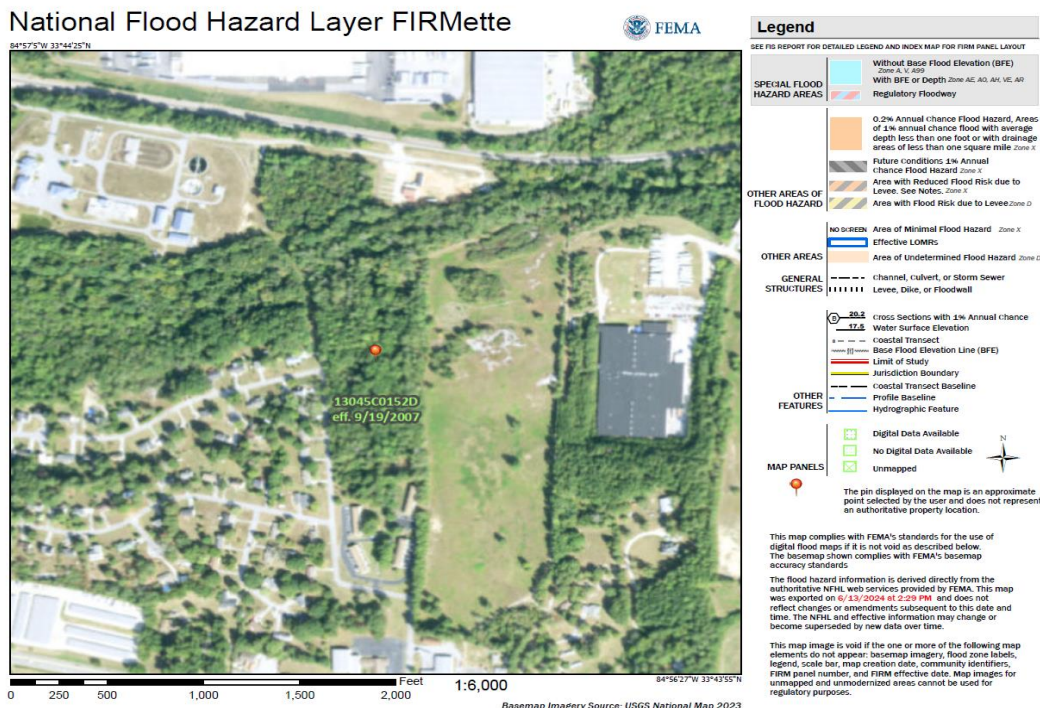


Figure 2: FEMA Flood Map



D. Variances

The Applicant has requested variance relief for the following:

1. Section 4.04 – Lot Standards which, requires a 35-foot front setback for Multifamily (MF1) zoned parcels located on local roads. The Applicant is requesting to reduce the front setback for Lot 33 to 15 feet.
Lot 33 is oriented within the southwest corner of the parcel. Lot 33 is located within the intersection of the proposed private townhome neighborhood's new street and the public street of Villa Trace. The unit has to abide by two front setbacks, one for the private street frontage and another for the public street of Villa Trace Road.
2. Section 900 - Stream Buffer Protection, all developers must abide by the state's 25ft stream buffer, the city's additional 25ft stream buffer, and the city's required 25ft impervious buffer. The applicant is requesting an allowance for lots, 39-41, 43, 49-51, and 55 to marginally encroach the city's required impervious setback by 631 square feet due to a creek running through the parcel.

City Council unanimously approved (5-0) a variance request for an encroachment of 608 square feet into the 75-foot buffer to construct a retaining wall (VA-08-22). The applicant is deviating from constructing multi-family apartments, altered the site plan, and is proposing to construct single-family attached homes. The applicant is requesting to encroach within the impervious buffer an additional 23ft.

Proofs for Variances

In reviewing the variance requested for the development, the "benefits vs. detriments" of such an approval were evaluated in addition to the purposes of the Comprehensive Plan.

Variance (1):

The applicant requested this variance due to topographic hardships. According to the site plan, the applicant proposes four clusters of seven townhomes along Villa Trace Road, which are not within the front setback area. However, Lot 33 is within the front setback of Villa Trace Road. Staff could not identify any land use benefits from approving this request, other than allowing the applicant to construct a unit within the Villa Trace Road setback. The detriment of constructing Lot 33 within the front setback of Villa Trace Road, as per the site plan, is that it will allow Unit 33 to be built 20 feet closer to Villa Trace Road, resulting in Unit 33 not being uniform with the other units on Villa Trace Road.



Variance (2):

The applicant stated in their application that this request is due to topographic hardships, specifically for the northern row of townhomes. The city council approved an encroachment of 608 square feet within the impervious stream buffer in 2022.

Staff could not identify any detriments to approving the additional encroachment within the 75-foot buffer variance, as the proposed encroachment area is only 23 square feet and is limited.

The Future Land Use Plan prescribes “Suburban Village” as the future land use for the parcels. The intent of the Suburban Village Character Area is as follows:

“Suburban Villages are characterized by clustered commercial development around the intersection of prominent roads (Community Crossroads) and include immediate surrounding residential areas, which are suburban in nature. The general development pattern is compact, with stand-alone or a few businesses on a site. However, in more suburban and rural areas, a single business typically occupies a property. Future development should emphasize the compact, small-scale development that supports the immediate surrounding area, including residences, retail, and office uses. Higher density developments should be located closer to more dense/intense areas, where similar development exists. Sidewalks and pedestrian linkages to nearby parks and other amenities should be provided in new developments.”

The character area has design principles that recommend “low to moderate density with concentrated neighborhood commercial development oriented around intersection/community crossroads”.

The existing development pattern in the area is consistent with the Comprehensive Plan from an intensity and site development standpoint. The nature of the variance does not impact the intents of the Comprehensive Plan, as the character area is aimed at providing more housing opportunities. The new development will accomplish this goal should the variance be granted.

Variance Decision Criteria

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

- 1) General Welfare. The approval will not be injurious to the public health, safety, morals, and general welfare of the community; **No Detriment to Public Health, Safety, or Welfare: There is no detriment to public health, safety, or welfare observed by staff.**
- 2) Adjacent Property. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner, and **the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. Lots 5-32 will be located on Villa Trace Road, but no adverse measures have been identified.**
- 3) Practical Difficulty. **The ordinance’s requirements will result in practical difficulty because**



of the limited buildable space on the parcel. The variance request to encroach on the impervious buffer is considered reasonable. Last year's impervious setback encroachment of 608 square feet. The applicant's current variance request is an additional encroachment request of 23 feet, being minimal.

E. Comments

- The applicant initially proposed a public development project. Due to the parcel's topographic constraints, the applicant recommended incorporating 20-foot-wide public alleyways. However, the city engineer rejected the plans, citing concerns regarding the proposed 20-foot public alleyways. Consequently, the applicant is now proposing a private 67-townhome development, which includes 20-foot alleyways.
- Community Development comments: Two homeowners from Villa Trace have inquired about the new development.

Recommendations:

Variance #1: Reduce the front building setback from 35 feet to 15 feet on Villa Trace Road (specifically for Lot 33, which will be developed with this setback).

- **Section 4.04 – Lot Standards:** Requires Multi-Family Low Density (MF1) front setbacks on local roads (LR) to be 35 feet.
 - **Applicant Proposal:** 15 feet
 - **Staff Recommendation:** **Denial**
 - **Reason:** Self-imposed; allowing Unit 33 to be built 20 feet closer to Villa Trace Road will result in Unit 33 not being uniform with the other units on Villa Trace Road.

Variance #2: Allow lots 39, 41, 43, 49-51, and 55 to encroach on the impervious setback. Total encroachment equals 631 square feet.

- **Section 900 – Stream Buffer Protection:**
 - **Applicant Proposal:** Encroach the impervious setback by 631 square feet (23 feet).
 - **Staff Recommendation:** **Approve**
 - **Reason:**
 - City Council previously approved a 608-square-foot encroachment within the impervious buffer in 2022.
 - The current request for an additional 23 square feet, totaling 631 square feet, is minimal and can be considered necessary for the development of an undeveloped parcel.

Public Notifications:

As required by *Section 11.05* in the Code of the City of Villa Rica, the public has been notified in



Villa Trace (Parcel # V02 0070149)

VA-07-24

August 28, 2024

Page 8 of 10

Times-Georgian and the *Douglas County Sentinel* on August 29th, 2024; 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.

Sincerely,

Shaun Daniels

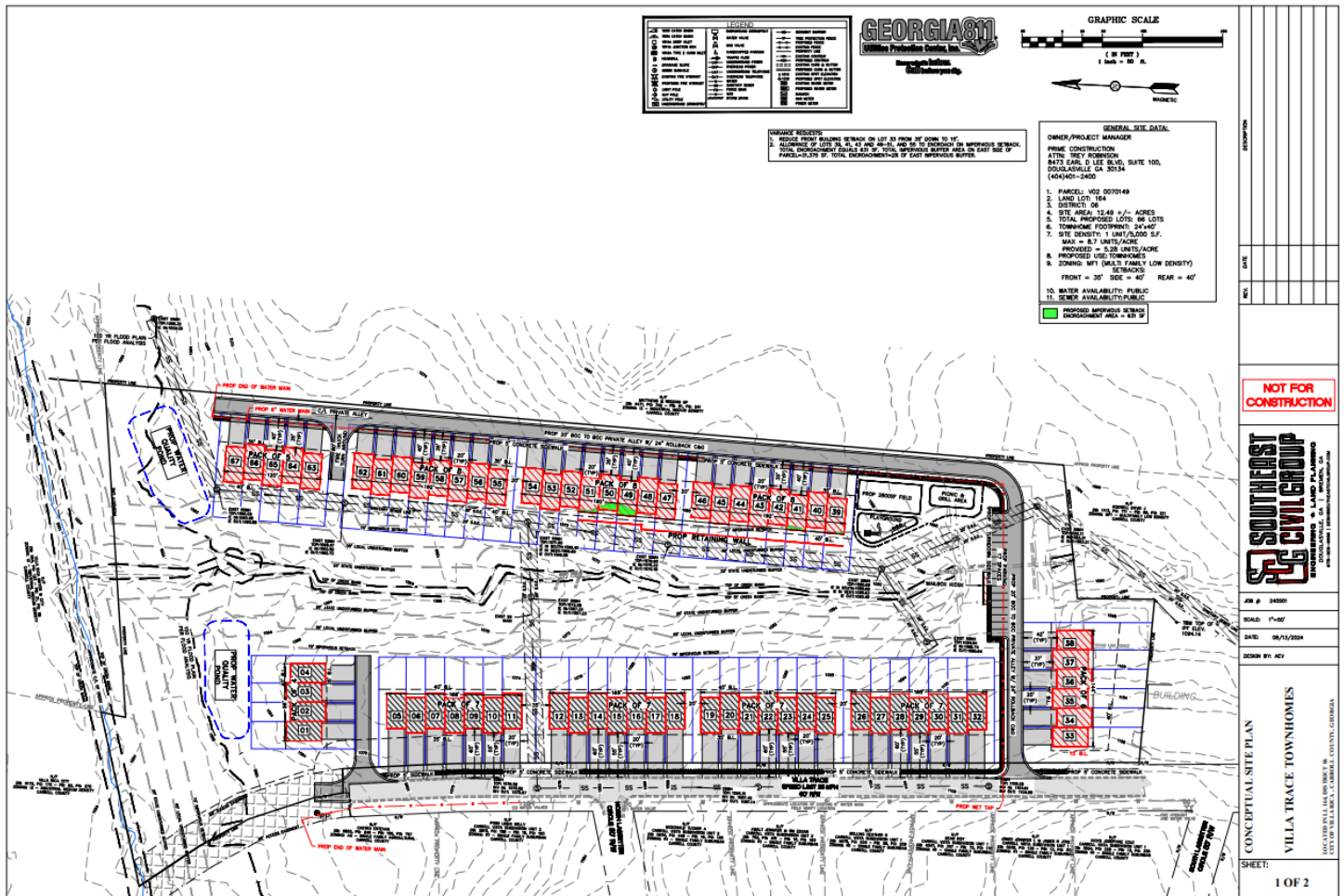
Planner

City of Villa Rica: Community Development

sdaniels@villarica.gov | 678-785-9995

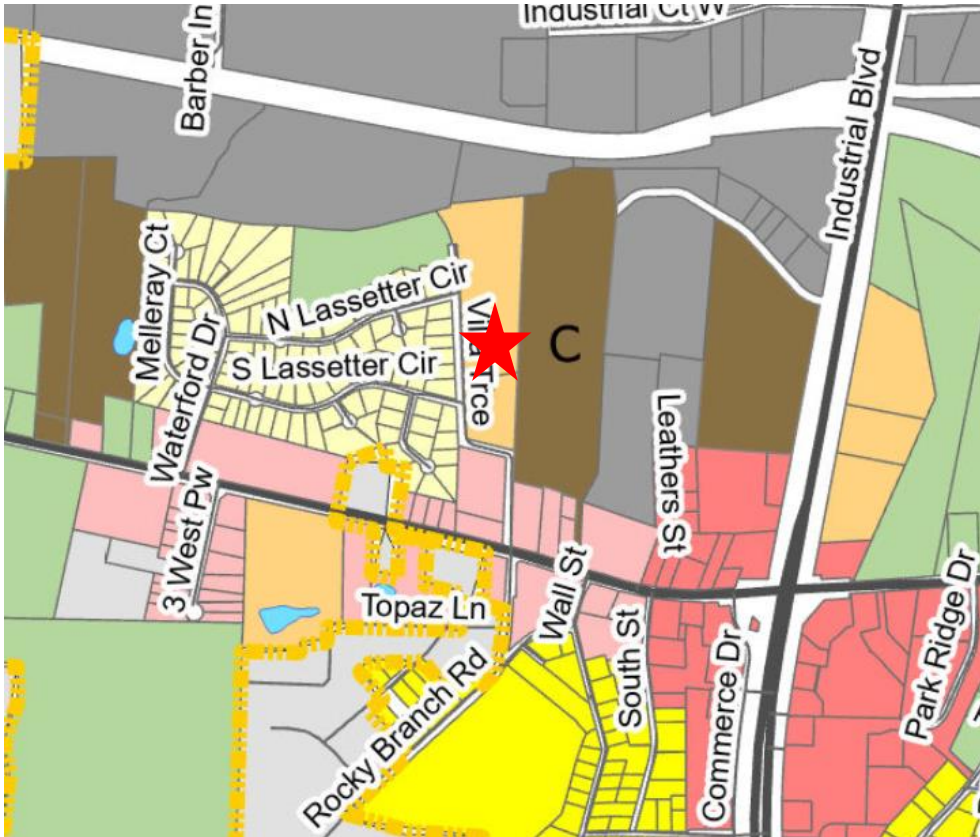


Figure 3: Proposed Private Development Site Plan





Villa Rica Zoning Map:

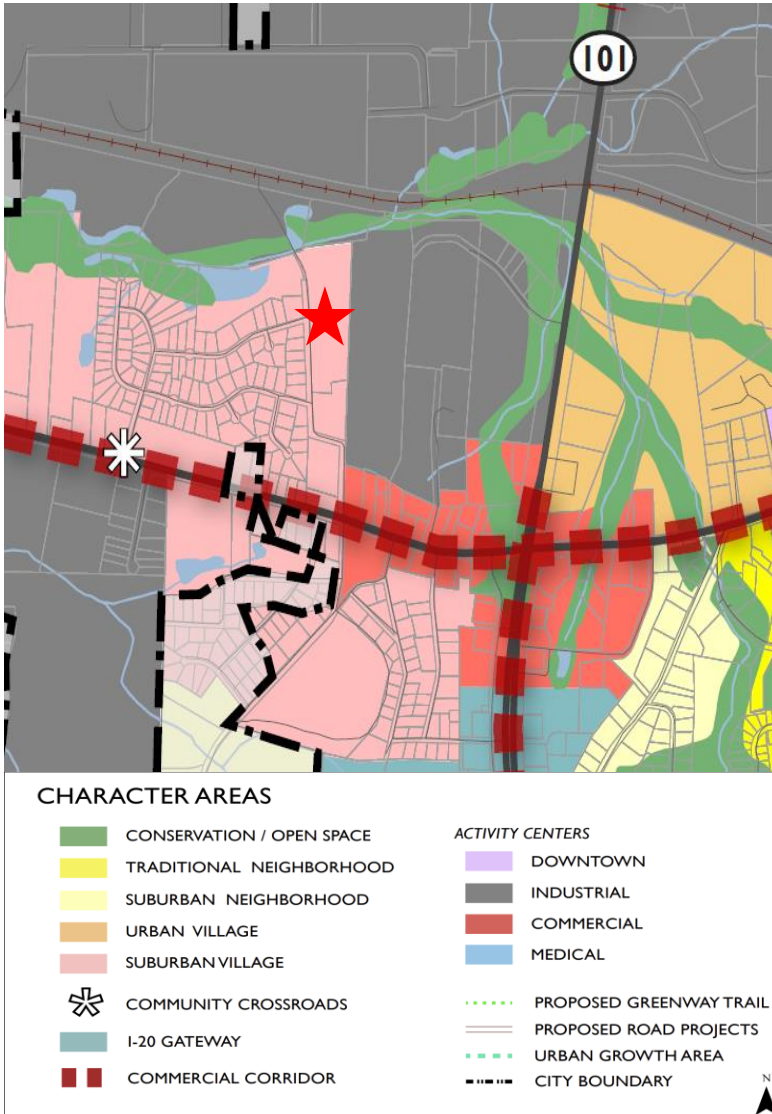


Map Legend

	CC_DC_CountyBoundaries		I2
	City Boundary		MF1
	Special Condition		MF2
	AG		OM1
	C1		PUD
	C2		R1
	CBD		R2
	CMU		SFA
	I1		



FUTURE LAND USE MAP:





City of Villa Rica Planning and Zoning Department

1605 Carrollton Villa Rica Hwy | Villa Rica, Ga 30180

678-785-9995 | www.Villarica.org

VARIANCE OR APPEAL APPLICATION

CHECKLIST

Required Materials to Accompany the Application

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

Variance:

- 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.
- A site plan demonstrating the requested variance, showing the affected property, adjacent property, zoning, and existing land use.
- A statement of why the variance is necessary.
- A statement as to how the applicant's request satisfies each required finding.
- A listing of the owners of property within 250 feet of the subject property and the mailing addresses for said owners on file with the County Assessor; and
- Any other exhibits may be required by the Community Development Director.

Appeals from Staff Determinations:

- 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.
- A statement as to why the applicant believes the Staff's determination is contrary to the intent and requirements of the Code; and
- Any other exhibits may be required by the Community Development Director.

Variance by Use Type

Chapter	Residential	Commercial	Industrial	PUD
Chapter 4: Zoning District Regulations (including bulk regulations)	\$200	\$400	\$600	N/A
Chapter 6: Planned Unit Development	N/A	N/A	N/A	\$1,500
Chapter 7: Development Standards	\$300	\$300	\$300	N/A
Chapter 8: Supplementary Standards for Specific Uses	\$500	\$500	\$600	N/A
Chapter 9: Design Standards	\$300	\$400	\$500	\$600
Other	\$300	\$300	\$300	\$300

☐ APPEAL ☒ VARIANCE

The procedure for requesting a Variance or filing an Appeal is set forth in Section 2.03.J and 2.03.K respectively, of the Unified Development Code (UDC). Generally, the amendment process involves review by the Community Development Manager and City Council.

Date of Application: _____

Applicant Name: Prime Construction

Address: 8473 Earl D Lee Blvd, Suite 100 City: Douglasville State: GA Zip: 30134

Phone: 404-401-2400 Email: trey@primeconstructionga.com

Agent Name: The Southeast Civil Group, LLC

Address: 8665 Baldwin Parkway City: Douglasville State: GA Zip: 30134

Phone: 678-909-6996 Email: desk@southeastcivilgroup.com

Owner Name (If different from applicant): Southern Ridge Home and Development, LLC- Ridge Cole

Address: PO Box 1942 City: Villa Rica State: GA Zip: 30180

Phone: 770-823-8572 Email: SOUTHERNRIDGEHOMES@ATT.NET (Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application)

VARIANCE OR APPEAL INFORMATION

Address of Variance or Appeal Location: 0 Villa Trace

I, Trey Robinson, hereby state that all the above statements and statements contained in the documents submitted with this application are true. I hereby request processing of this application.

Trey Robinson
Trey Robinson (Jun 6, 2024 13:28 EDT)
Signature of Applicant

06/06/24
Date

PROCESS

Pre-Application Conference
(Optional)



Application Filed with Department

- Staff Review For Completeness.
- Public Hearing Schedule
- Public Notification



City Council Hearing

- Within 45 Days Of Filing Complete Applications
- Consideration Of Staff, Applicant, And Public Testimony



DENIAL

City Council Action

APPROVAL

240501_Variance Application

Final Audit Report

2024-06-06

Created:	2024-06-06
By:	Emmaline Soilz (desk@southeastcivilgroup.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAWtnpt6_jrkCbxf2SQVlyf_Xj8W_TS4

"240501_Variance Application" History

-  Document created by Emmaline Soilz (desk@southeastcivilgroup.com)
2024-06-06 - 3:40:39 PM GMT- IP address: 70.88.178.65
-  Document emailed to Trey Robinson (trey@primeconstructionga.com) for signature
2024-06-06 - 3:40:44 PM GMT
-  Email viewed by Trey Robinson (trey@primeconstructionga.com)
2024-06-06 - 4:29:29 PM GMT- IP address: 70.89.253.86
-  Document e-signed by Trey Robinson (trey@primeconstructionga.com)
Signature Date: 2024-06-06 - 5:28:15 PM GMT - Time Source: server- IP address: 70.89.253.86
-  Agreement completed.
2024-06-06 - 5:28:15 PM GMT



June 29th, 2022

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

Re: Planning Report
Ridge Cole
VA-08-22 and VA-09-22
Villa Trace
Land Lot 145, District 2, Section 5
Parcel # V02 0070149
Acreage: 13.11
Ward: 5
City Council Member: Danny Carter
Planning Board Member: Mac Pilgrim
City of Villa Rica, Carroll County, Georgia

Dear Mrs. Doyal:

Ridge Cole (the Applicant) seeks a variance from the 75' stream buffer in order to encroach a total of 608 SF into the impervious buffer (VA-08-22). The applicant is not proposing to encroach within the city's 50' stream buffer nor the state's 25' nondisturbance buffer. The applicant has also requested a second variance (VA-09-22) from Section 9.03(2)(c) of the Zoning Ordinance in order to permit for the primary buildings to face the parking lot rather than a street or common open space. The applicant is proposing three two-story residential apartment buildings with 48 units. Because of the joint requests from the applicant for the same project, I have reviewed both applications as a part of one report, however the merits of each request should be considered by the City Council individually. The variances are outlined in Section D.

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

1. Two Applications for a Variance, dated June 9th, 2022 (6 pages);
2. Site Plan, dated March 30th, 2022, signed and sealed by Michael G. Forlaw, P.E. of The Southeast Civil Group (1 sheet);
3. Applicant Letters of Intent, prepared by The Southeast Civil Group, LLC, dated June 9th, 2022 (2 page);
4. Warranty Deed, signed by Elaine H. Brown, dated December 2nd, 2022 (2 pages).



A. Existing Conditions

The subject property is located east of Villa Trace and south of the Norfolk Southern Railroad. The parcel has frontage along Villa Trace consisting of approximately 986.7'. The property is sloping with a low topography grade towards the eastern side of the parcel. flat and consists of a creek through the center of the parcel running in a north-south fashion.

The parcel is currently zoned Multifamily Low-Density (MF1) and features an undeveloped wooded lot. The parcel does not border a city boundary/unincorporated area and is located in the Carroll County portion of the city. The parcel is bound by Industrial Medium-Density (I2) zoned property to the north and east, and Single-Family Agricultural (AG) and Single-Family Suburban (R1) zoned properties to the west. The property to the south an existing apartment complex also zoned MF1. The surrounding properties consist of residential and industrial uses.

Surrounding Properties:

TABLE 1 – SURROUNDING LAND USES		
	Current Zoning	Land Use Character Area
North	Industrial Medium-Density (I2)	Conservation/Open Space
East	Industrial Medium-Density (I2)	Industrial
South	Multifamily Low-Density (MF1)	Suburban Village
West	Single-Family Agricultural (AG) Single-Family Suburban (R1)	Suburban Village



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

B. Site History

The parcel is currently unutilized and features vacant land. The property was rezoned from Multifamily (R14) in the Unified Development Code (UDC) to Multifamily Low-Density (MF1) during the citywide rezoning effort in 2020, which was a lateral change in zoning.



C. Proposed Development

The applicant is proposing to construct a 48-unit one and two-bedroom apartment complex consisting of three two-story buildings and a leasing office.

Section 9.03(2)(c) of the city's zoning ordinance requires that all multifamily buildings "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." The applicant is requesting a variance to have the three multifamily buildings to face the parking lot instead of Villa Trace.

The applicant is also requesting relief from the city's 75' impervious buffer along creek. The applicant proposes to construct two retaining walls within the buffer, one being 363 linear feet and another being 245 linear feet for a total of 608'. The total encroachment is proposed to be 608 sq. ft.

Flood Plain

The property is not located within a flood zone, but does border a flood zone to the north of the property. The area surrounding the creek on the property is not considered in a flood zone based on FEMA maps.

D. Variances

The developer has requested variance relief from the zoning ordinance as outlined below. The applicant's stated reasons for not complying with the 75' buffer is because the request will improve the development to allow for a small backyard for the residents. According to the applicant, if the wall is moved outside of the buffer, it will require the buildings to be set on a foundation wall. Therefore, there would be no backyard for the units.

The Applicant has requested variance relief for the following:

1. Section 9.03(2)(c): Multifamily buildings 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.

The applicant proposes to build the apartment buildings facing the parking lot. The applicant indicates in their letter of intent that the creek buffer and impervious setback on one side, and the building setback and front landscape requirements on the other make the developable area narrow, which is a hardship. All other potential lot configurations attempted by the applicant would result in additional variances.

2. 75' Buffer: No impervious surface permitted within 75' of state waters or an identified body of water.



The applicant proposes to encroach 608 sq. ft. into the 75' buffer in order to install a retaining wall to allow for a small backyard for residents.

Proofs for Variances

In review of the variance requested for the development, the “benefits vs. detriments” of such an approval was reviewed in addition to the purposes of the Comprehensive Plan. The purposes of the request were made clear by the applicant in their application and, according to the applicant, stems from the applicant having topographic hardships. Staff could not identify any detriments from an approval of the 75' buffer variance, as the area proposed for encroachment is only 608 SF and is limited in nature. The site layout proposed by the developer is more car dominant and the buildings would have no relation with the street. A benefit to the issuance of the variances would be that the site would be considered usable for its intended zoning (multifamily), and would prevent the 75' buffer from being almost entirely encroached upon should 9.03(2)(c) be granted.

The Future Land Use Plan prescribes “Suburban Village” as the future land use for the parcels. The intent of the Suburban Village Character Area is as follows:

“Suburban Villages are characterized by clustered commercial development around the intersection of prominent roads (Community Crossroads) and include immediate surrounding residential areas, which are suburban in nature. The general development pattern is compact, with stand-alone or a few businesses on a site. However, in more suburban and rural areas, a single business typically occupies a property. Future development should emphasize the compact, small-scale development that supports the immediate surrounding area, including residences, retail, and office uses. Higher density developments should be located closer to more dense/intense areas, where similar development exists. Sidewalks and pedestrian linkages to nearby parks and other amenities should be provided in new developments.”

The character area has design principles that recommend “low to moderate density with concentrated neighborhood commercial development oriented around intersection/community crossroads”.

The existing development pattern in the area is consistent with the Comprehensive Plan from an intensity and site development standpoint. The nature of the variance does not impact the intents of the Comprehensive Plan, as the character area is aimed at providing more housing opportunities. The new development will accomplish this goal should the variance be granted.

Variance Decision Criteria

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

a) Development Standards Variance. The Council may grant a variance from the development



standards of this ordinance (such as height, bulk, area) if, after a public hearing, it makes a determination in writing (consistent with O.C.G.A. 36-66-1), that:

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

The approval of the variances would not be injurious to the public health, safety, morals, and general welfare of the community

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

The value of the surrounding properties is not expected to decline or be otherwise reduced in value by permitting the variances.

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

The ordinance's requirements will result in a practical difficulty because of the limited buildable space on the parcel. Both requests are considered reasonable in lieu of the topography of the land and comparison to other site layouts, the proposed layout was the least nonconforming of the ordinance.

E. Comments

No Staff Comments.

Recommendation:

Staff recommendation:

Section 9.03(2)(c): APPROVAL

Reasons: The topography of the land prevents the parking to be located behind the building without a much larger encroachment within the 75' buffer.

75' Impervious Buffer: APPROVAL

Reasons: The encroachment is minimally invasive to the 75' stream buffer and has a functional aspect that will enhance the product and future usability of the space for the dwellers.



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 June 27th, 2022; 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.

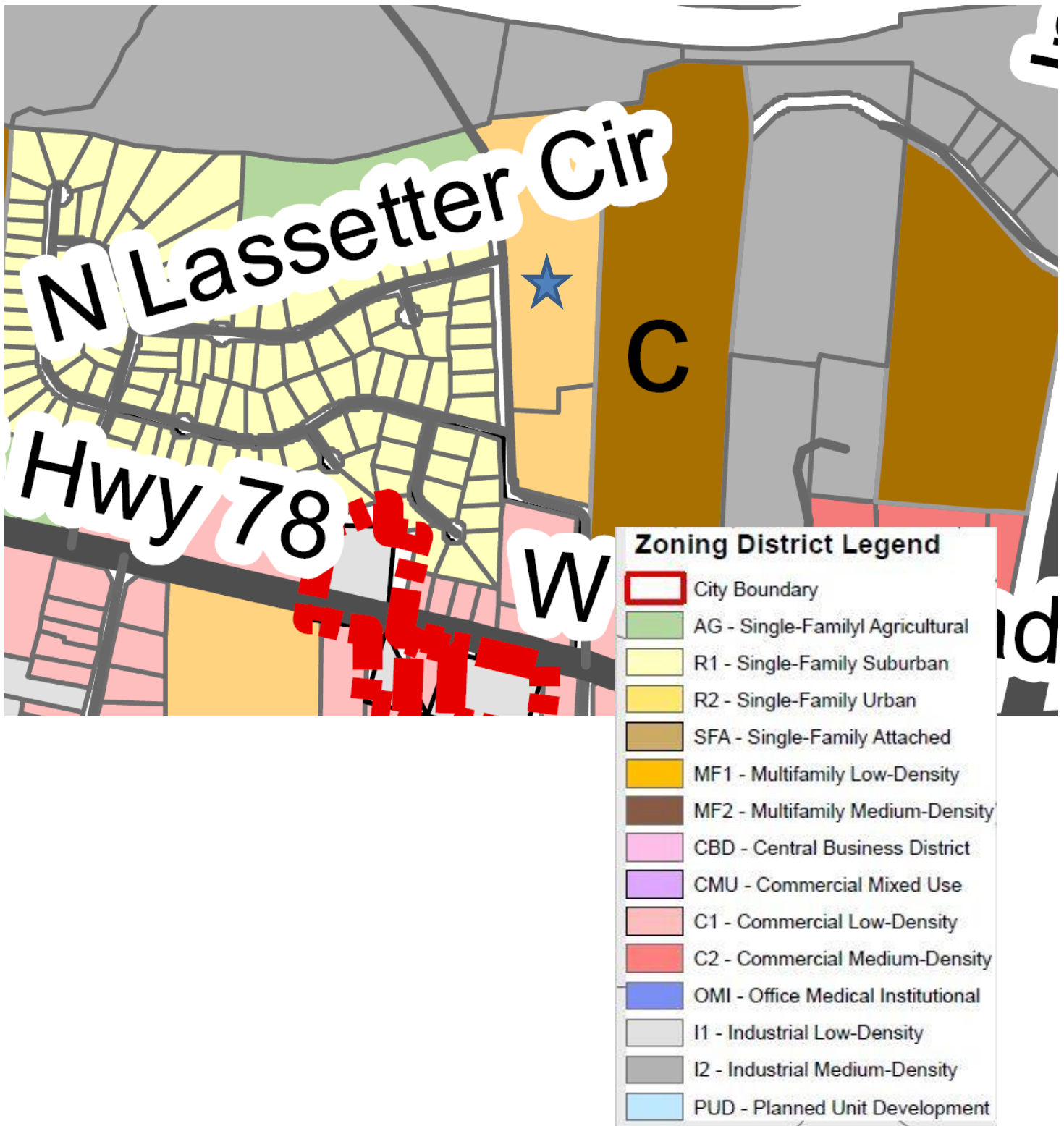
Very truly yours,

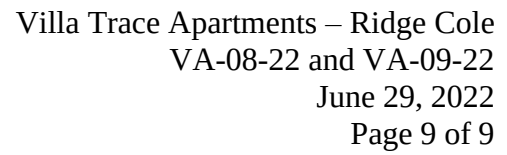
Ronald Johnson
Planning & Zoning Specialist

cc: Tom Barber, City Manager (via email)
Tracy Jarvis, Community Development Director/City Engineer (via email)



Villa Rica Zoning Map:





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

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



RE: Variance Letter of Request
Subject Property Address: Villa Trace Road
Applicant Name: Trey Robinson

The subject property lies within Land Lot 164, District 6, and consists of parcel # V02 0070149. The owner is proposing to develop townhomes. The property is zoned MFI (multifamily low density). The preliminary site plan included with this application provides further information about the project.

Variance Request #1: Front Setback along Villa Trace Road

It is understood that the current zoning has a front building setback requirement of 35 feet along Villa Trace Road. The owner would like to request this setback to be reduced to 0 feet, as shown on the preliminary site plan.

Variance Request #2: Front Setbacks on New Proposed Road- Lot #s 1, 31, 32

The proposed zoning requires a 35' front building setback along the new proposed road. Looking solely at lots 1, 31, and 32, the owner would like to request to reduce the front building setback from 35' down to 0' as shown on the preliminary site plan.

Variance Request #3: Landscape Strip

The city requires there to be a front landscape strip of 20 feet. The owner would like to request a reduction of this strip from 20 feet to 10 feet. However, landscaping would be proposed all the way to the back of the curb on Villa Trace Road, providing 18' of streetscape.

Variance Request #4: Administrative Variance Request- Impervious Setback

There is an impervious setback running through the center of the property. There are several lots that slightly encroach this setback. The owner would like to request an allowance for lots 30-40, 48-50, and 54 to marginally encroach this setback. The encroachment of this setback totals to 631 square feet and is highlighted in the preliminary site plan. This request is well under the allowable 20% administrative approval process.

Additional Information:

The impervious setback running through the center of the property significantly impacts available area on the that can be developed to meet city requirements. The variances listed, requesting reduction of certain setbacks and buffers, allows for the site to be the most optimal for a multi-family residential development.



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☐ Certified Mail Restricted Delivery \$0.00

☐ Adult Signature Required \$0.00

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Postage \$0.73

Total Postage and Fees \$9.68

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Certified Mail Fee \$4.85
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☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.73

Total Postage and Fees \$9.68

Sent To Tucker McDonald
902 N. Lassetter Cr.
Villa Rica GA 30180

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



9589 0710 5270 0983 2743 27

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Sent To Jennifer & Wm Anwalt
301 Villa Trace
Villa Rica GA 30180

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



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Douglasville, GA 30134

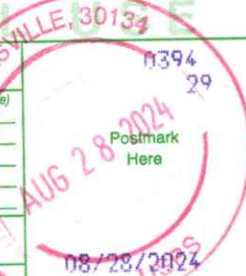
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☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.73

Total Postage and Fees \$9.68

Sent To Estevan & Jose Castro
7490 Indian Trail
Douglasville GA 30134

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



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Sent To Linda Poss
9701 N. Lassetter Cr.
Villa Rica GA 30180

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



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Sent To Villa Rica City
185 Barber Ind Ct
Villa Rica GA 30180

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



eFiled and eRecorded
DATE: 08/26/2022
TIME: 10:21 AM
DEED BOOK: 6102
PAGE: 735 - 736
FILING FEES: \$25.00
TRANSFER TAX: \$105.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 0872179815
PARTICIPANT ID: 7067927936
PT61: 022-2022-005160
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

Return Recorded Document to:
Tisinger Vance P.C.
100 Wagon Yard Plaza
Carrollton, GA 30117
File No. 32022M6600

**LIMITED
WARRANTY DEED**

**STATE OF GEORGIA
COUNTY OF CARROLL**

THIS INDENTURE made this 25th day of August, 2022, between **Six Trades, LLC**, of the County of Carroll, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **Southern Ridge Home & Development, LLC**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

All that tract or parcel of land lying and being in Land Lot 170 of the 6th District, within the City of Temple, Carroll County, Georgia, being shown and delineated as "Commercial Tract A", being shown as consisting of 1.221 acres, according to that certain survey entitled "Final Plat Windy Mill", dated August 29, 2001, prepared by Hughes-Ray Company, Inc., certified by Clifford R. Hughes, GA RLS #2010, which plat is filed for record in Plat Book 76, Page 17, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part hereof for a more complete and accurate description of said property.

This Deed is given subject to all easements and restrictions of record.

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

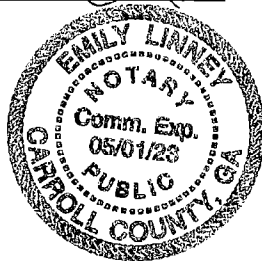
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above-named grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in presence of:

Michael H. Hines
Witness

Emily Linney
Notary Public



Six Trades, LLC, a Georgia Limited Liability Company

By: [Signature] (SEAL)
Andrew Lovvorn, Member

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DATE: 08/26/2022
TIME: 10:21 AM
DEED BOOK: 6102
PAGE: 735 - 736
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PARTICIPANT ID: 7067927936
PT61: 022-2022-005160
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

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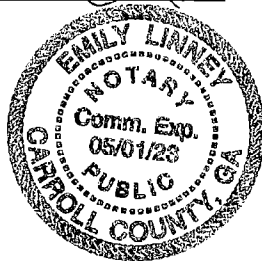
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Witness

Emily Linney
Notary Public

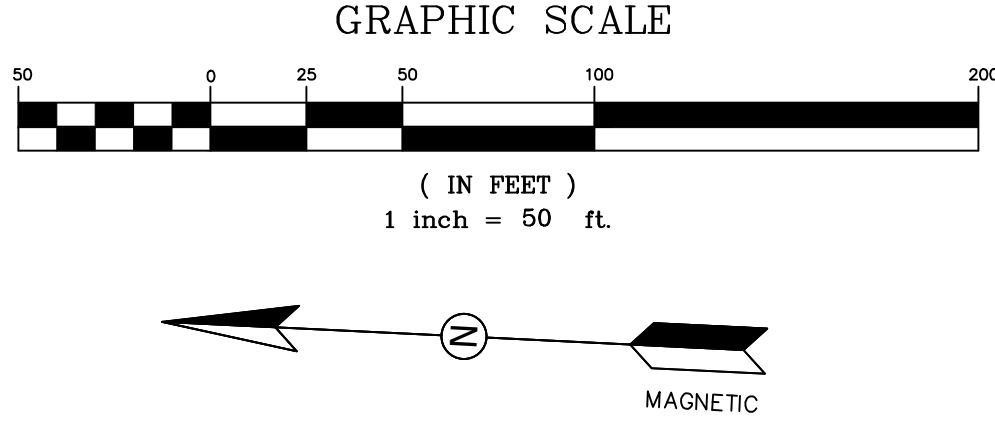


Six Trades, LLC, a Georgia Limited Liability Company

By: [Signature] (SEAL)
Andrew Lovvorn, Member

LEGEND

1033 CATCH BASIN	OVERGROUND DOWNSPOUT	SEDIMENT BARRIER
1034 CATCH BASIN	WATER VALVE	FREE PROTECTION FENCE
1019A DROP INLET	GAS VALVE	PROPOSED FENCE
1011A JUNCTION BOX	HANDICAPPED PARKING	EXISTING FENCE
1019A TYPE E CURB INLET	TRAFFIC FLOW	PROPERTY LINE
HEADWALL	UNDERGROUND POWER	EXISTING CURB & GUTTER
DRAINAGE SLOPE	OVERHEAD POWER	PROPOSED CURB & GUTTER
SEWER MANHOLE	UNDERGROUND TELEPHONE	EXISTING SPOT ELEVATION
PROPOSED FIRE HYDRANT	OVERHEAD TELEPHONE	PROPOSED SPOT ELEVATION
PROPOSED FIRE HYDRANT	WATER	EXISTING WATER METER
LIGHT POLE	SANITARY SEWER	PROPOSED WATER METER
GUY POLE	FORCE MAIN	MAILBOX
UTILITY POLE	GAS	GAS METER
UNDERGROUND DOWNSPOUT	STORM DRAIN	POWER METER



VARIANCE REQUESTS:

1. REDUCE FRONT BUILDING SETBACK ON LOT 33 FROM 35' DOWN TO 15'.
2. ALLOWANCE OF LOTS 39, 41, 43 AND 49-51, AND 55 TO ENCR OACH ON IMPERVIOUS SETBACK.

TOTAL ENCR OACHMENT EQUALS 631 SF. TOTAL IMPERVIOUS BUTER AREA ON EAST SIDE OF PARCEL=31,375 SF. TOTAL ENCR OACHMENT=2% OF EAST IMPERVIOUS BUTER.

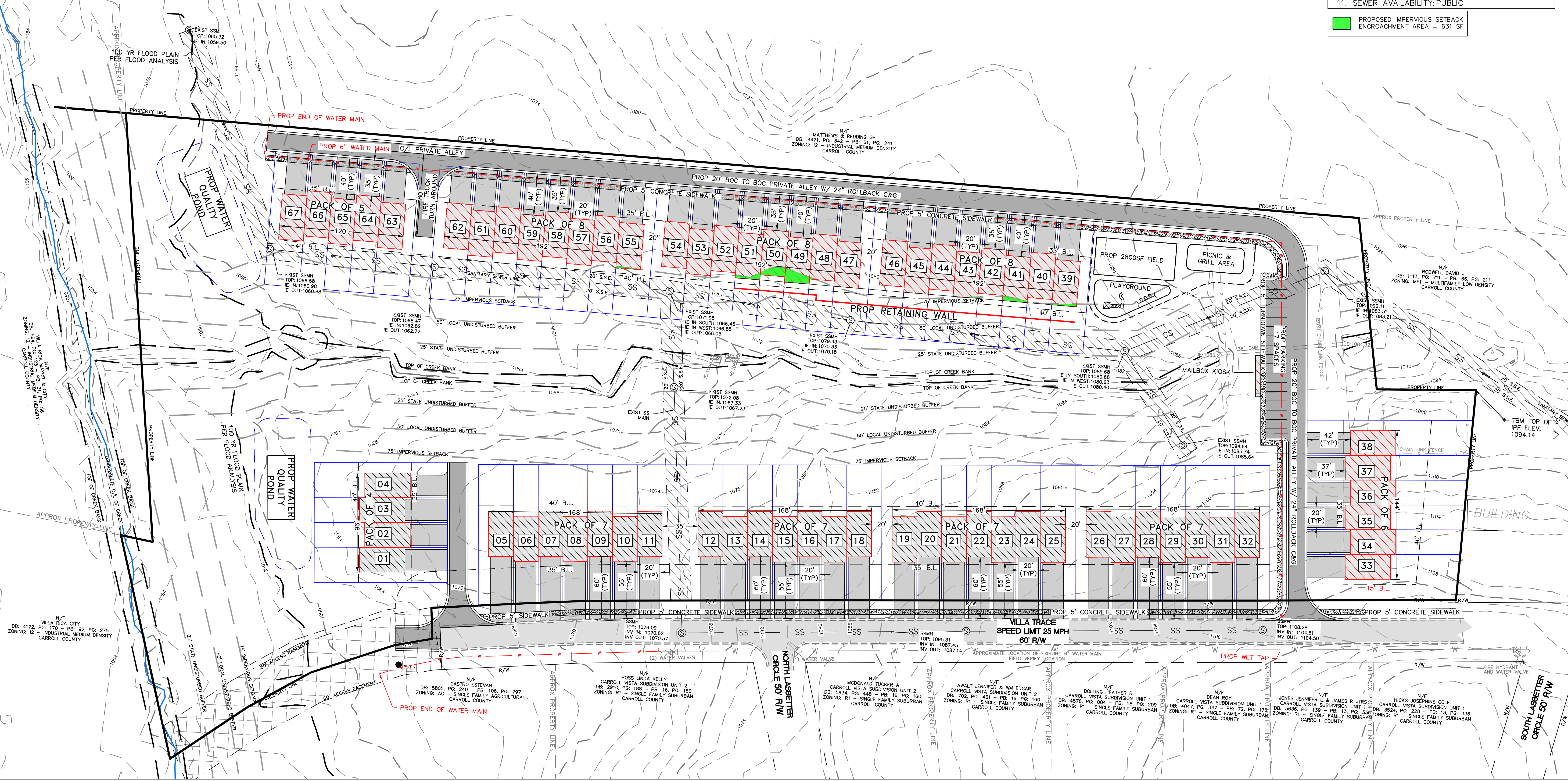
GENERAL SITE DATA:

OWNER/PROJECT MANAGER

PRIME CONSTRUCTION
ATTN: TREY ROBINSON
8473 EARL D LEE BLVD, SUITE 100,
DOUGLASVILLE GA 30134
(404)401-2400

1. PARCEL: V02 0070149
2. LAND LOT: 164
3. DISTRICT: 06
4. SITE AREA: 12.49 +/- ACRES
5. TOTAL PROPOSED LOTS: 66 LOTS
6. TOWNHOME FOOTPRINT: 24'x40'
7. SITE DENSITY: 1 UNIT/5,000 S.F.
MAX = 8.7 UNITS/ACRE
PROVIDED = 5.28 UNITS/ACRE
8. PROPOSED USE: TOWNHOMES
9. ZONING: MF1 (MULTI FAMILY LOW DENSITY)
SETBACKS:
FRONT = 35' SIDE = 40' REAR = 40'
10. WATER AVAILABILITY: PUBLIC
11. SEWER AVAILABILITY: PUBLIC

PROPOSED IMPERVIOUS SETBACK
ENCR OACHMENT AREA = 631 SF



NOT FOR
CONSTRUCTION



JOB #: 240501

SCALE: 1"=50'

DATE: 08/13/2024

DESIGN BY: AEV

CONCEPTUAL SITE PLAN

VILLA TRACE TOWNHOMES

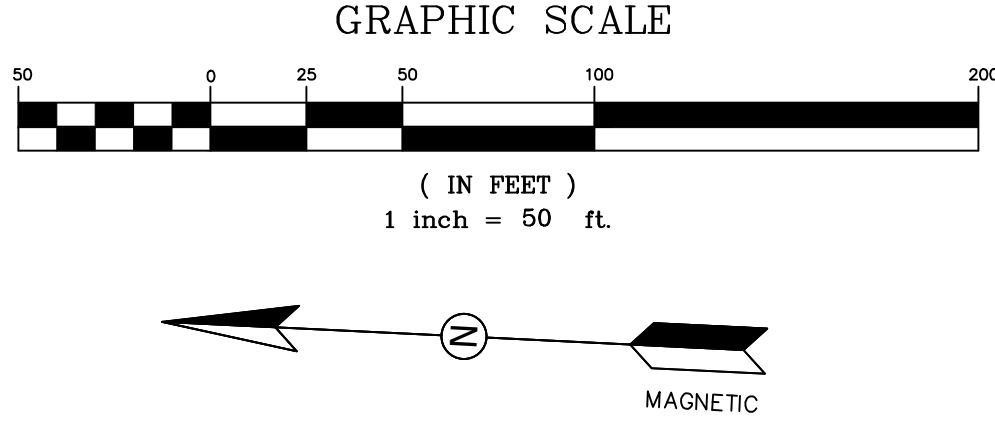
LOCATED IN LL 164, DISTRICT 06
CITY OF VILLA RICA, CARROLL COUNTY, GEORGIA

SHEET: 1 OF 2

LEGEND

1033 CATCH BASIN	OVERGROUND DOWNSPOUT	SEDIMENT BARRIER
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1011A JUNCTION BOX	TRAFFIC FLOW	EXISTING FENCE
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SEWER MANHOLE	OVERHEAD TELEPHONE	PROPOSED CURB & GUTTER
EXISTING FIRE HYDRANT	WATER	EXISTING SPOT ELEVATION
PROPOSED FIRE HYDRANT	SANITARY SEWER	PROPOSED SPOT ELEVATION
LIGHT POLE	FORCE MAIN	EXISTING WATER METER
GUY POLE	GAS	PROPOSED WATER METER
UTILITY POLE	STORM DRAIN	MAILBOX
UNDERGROUND DOWNSPOUT		GAS METER
		POWER METER

GEORGIA811
Utilities Protection Center, Inc.
Know what's below.
Call before you dig.

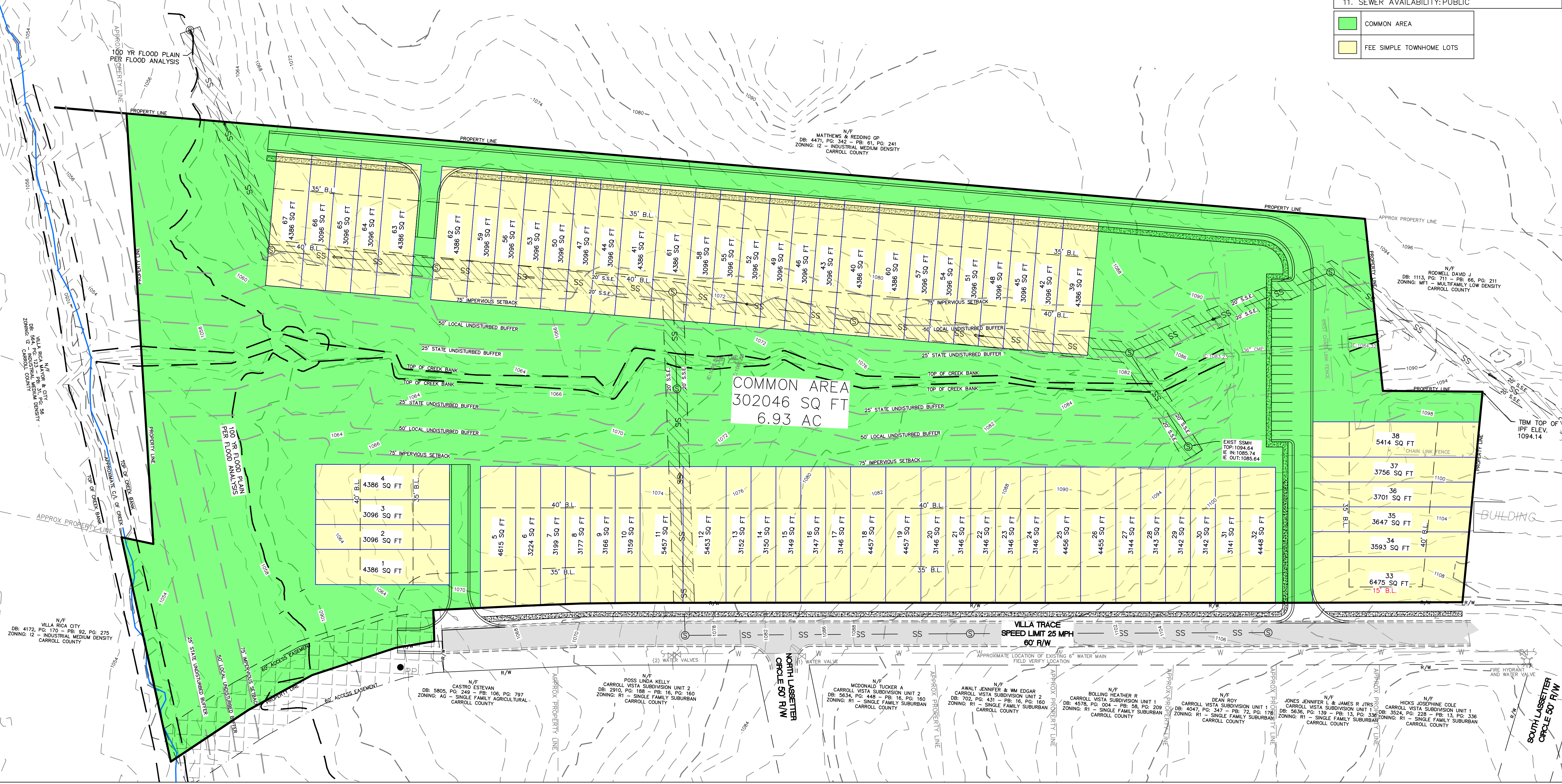


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DOUGLASVILLE GA 30134
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SETBACKS:
FRONT = 35' SIDE = 40' REAR = 40'
10. WATER AVAILABILITY: PUBLIC
11. SEWER AVAILABILITY: PUBLIC

COMMON AREA
FEE SIMPLE TOWNHOME LOTS



NOT FOR
CONSTRUCTION

**SOUTHEAST
CG CIVIL GROUP**
ENGINEERING • LAND PLANNING
DOUGLASVILLE, GA • BREMEN, GA
678-409-8996 | CS@SEOUTHEASTCIVILGROUP.COM

JOB #: 240501
SCALE: 1"=50'
DATE: 08/13/2024
DESIGN BY: AEV

CONCEPTUAL SITE PLAN
VILLA TRACE TOWNHOMES
LOCATED IN LL 164, DISTRICT 06
CITY OF VILLA RICA, CARROLL COUNTY, GEORGIA

SHEET:
2 OF 2