

CITY COUNCIL
LESLIE MCPHERSON, MAYOR
ANNA MCCOY, MAYOR PRO TEM
SHIRLEY MARCHMAN
MATTHEW MONTAHAN
STEPHANIE WARMOTH
DANNY CARTER

City of Villa Rica



INT CITY MGR: JENNIFER HALLMAN
CITY CLERK: THERESA CAMPBELL
CITY ATTORNEY: KEVIN DRUMMOND

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

MAYOR & COUNCIL MEETING AGENDA

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street
May 13, 2025 | 6:00 PM

Meeting Call to Order (Mayor Leslie McPherson)

Invocation (Capt. Blake Terry, VRPD)

Pledge of Allegiance (Officer Deborah Williams, VRPD)

Adoption of the Agenda (Mayor Leslie McPherson)

Ceremonial Presentations (Mayor & Council)

- Proclamation National Police Week
- GAWP (Georgia Association of Water Professionals) Award Presentation (Mr. Gary McCoy, GAWP)
- Years of Service Recognition - 25 years - Tara Ivey, Deputy Director of Parks and Recreation

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

Council Updates (Subjects of General Interest and Concern)

Consent Agenda (Mayor Leslie McPherson)

The Consent Agenda is a single item that encompasses all things the City Council would normally approve with little comment. Each of these items were discussed at the Council Work Session, and it was the unanimous consensus of the Governing Body to place the following items on the Consent Agenda.

1. Qualifying Dates for 2025 General Election (Theresa Campbell, City Clerk)
2. City Clerk as Municipal Election Superintendent (Theresa Campbell, City Clerk)
3. GMA's District 4 Officers for 2025-2026 (Theresa Campbell, City Clerk)
4. Developmental Regulations update to require utility availability statements (Kevin Drummond, City Attorney)
5. 457(b) Retirement Plan Changes (Tiffany Lanford, Director)
6. Facility Rental Fee Increase (Tracie Ivey, Director)
7. Library Advisory Board Constitution & Bylaws Update (Rachel Linn, Library Manager)
8. FY25 Budget Amendments #133 - 150 (Jennifer Hallman, Interim City Manager)

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the City Clerk at 678-840-1229 10 business days before the scheduled meeting to allow the City to make reasonable accommodations for those persons.

A. Governing Body (Mayor Leslie McPherson)

1. Approval of Special Called Meeting Minutes, April Work Session Minutes and April Council Meeting Minutes

B. Community Development

1. ABL-05-25 San Andres Villa Rica LLC and Public Hearing (Whitney Cox, Licensing Specialist)
2. ABL-06-25 QuikTrip Corporation and Public Hearing (Whitney Cox, Licensing Specialist)
3. (RA-01-25), (ANX-01-25), (ANX-02-25) - Rezoning and annexation for Hwy 61 and South Van Wert-Avemore PUD and Public Hearing (Shaun Daniels, Planning and Zoning Administrator)

C. Finance (Jennifer Hallman, CFO/ Interim Deputy City Manager)

1. Financial Update: March 2025 (Jennifer Hallman, Interim City Manager)

D. Executive Session (Kevin Drummond, City Attorney)

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

Adjournment (Mayor Leslie McPherson)

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Proclamation for National Police Week 2025

To recognize National Police Week 2025 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Villa Rica Police Department.

WHEREAS since the first recorded death in 1786, there are currently more than 24,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including 2 members of the Villa Rica Police Department.

WHEREAS the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC.

WHEREAS, new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including officers killed in 2024 and officers killed in previous years.

WHEREAS the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 37th Candlelight Vigil, on the evening of May 13, 2025.

WHEREAS, the Candlelight Vigil is part of National Police Week, which will be *observed* this year May 11th-17th.

WHEREAS May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff.

THEREFORE, BE IT RESOLVED that The City of Villa Rica will observe May 11-17, 2025, as National Police Week in Villa Rica, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Mayor Leslie McPherson



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: General Election 2025 – Qualifying Dates

AGENDA DATE: May 6, 2025

DATE PREPARED: May 5, 2025

PREPARED BY: Theresa Campbell

AMOUNT: n/a

GL ACCOUNT #: n/a

FUNDING SOURCE: n/a

BUDGETED ITEM? n/a

PURPOSE: To establish the qualifying dates for the City of Villa Rica for the General Election to be held on Tuesday, November 4, 2025.

BACKGROUND: A Municipal General Election will be held on Tuesday, November 4, 2025. Under OCGA § 21-2-132(a)(3)(A), “Each candidate for a nonpartisan municipal office or a designee shall file a notice of candidacy in the office of the municipal superintendent of such candidate’s municipality during the municipality’s nonpartisan qualifying period. Each municipal superintendent shall designate the days of such qualifying period, which shall be no less than three days and no more than five days. The days of the qualifying period shall be consecutive days. Nonpartisan qualifying periods shall commence no earlier than 8:30 A.M. on the third Monday in August immediately preceding the general election and shall end no later than 4:30 P.M. on the following Friday.” The City of Villa Rica has typically chosen to have three (3) days of Qualifying, beginning on the third Monday of August at 8:30 am and ending at 4:30 pm on the following Wednesday at City Hall. As such the Qualifying period within the City of Villa Rica for the November 4, 2025 General Election would be:

Monday, August 18, 2025, 8:30 am – 4:30 pm

Tuesday, August 19, 2025, 8:30 am – 4:30 pm

Wednesday, August 20, 2025, 8:30 am – 4:30 pm

STAFF RECOMMENDATION: Approval of the Qualifying dates for the November 4, 2025 General Election.

MOTION: I move to approve the Qualifying dates of August 18, 2025 through August 20, 2025 from 8:30 am to 4:30 pm at City Hall.

Document: O.C.G.A. § 21-2-132

O.C.G.A. § 21-2-132

Copy Citation

Current through Act 6 of the 2025 Regular Session of the General Assembly but not including corrections and changes made by the Office of Legislative Counsel.

Official Code of Georgia Annotated TITLE 21 Elections (Chs. 1 — 5) CHAPTER 2 Elections and Primaries Generally (Arts. 1 — 15) Article 4 Selection and Qualification of Candidates and Presidential Electors (Pts. 1 — 4) PART 1 General Provisions (§§ 21-2-130 — 21-2-140)

21-2-132. Filing notice of candidacy, nomination petition, and affidavit; reopening qualifying period; payment of qualifying fee; pauper's affidavit and qualifying petition for exemption from qualifying fee.

(a) The names of nominees of political parties nominated in a primary and the names of nominees of political parties for the office of presidential elector shall be placed on the election ballot without their filing the notice of candidacy otherwise required by this Code section.

(b) Candidates seeking election in a nonpartisan election shall comply with the requirements of subsections (c) and (f) of this Code section, as modified by subsection (g) of this Code section, by the date prescribed and shall by the same date pay to the proper authority the qualifying fee prescribed by Code Section 21-2-131 in order to be eligible to have their names placed on the nonpartisan election ballots.

(c) All candidates seeking election in a nonpartisan election shall file their notice of candidacy and pay the prescribed qualifying fee by the date prescribed in this subsection in order to be eligible to have their names placed on the nonpartisan election ballot by the Secretary of State or election superintendent, as the case may be, in the following manner:

(1) Each candidate for the office of judge of the superior court, Judge of the Court of Appeals, or Justice of the Supreme Court, or the candidate's agent, desiring to have his or her name placed on the nonpartisan election ballot shall file a notice of candidacy, giving his or her name, residence address, and

the office sought, in the office of the Secretary of State no earlier than 9:00 A.M. on the Monday of the eleventh week immediately prior to the election and no later than 12:00 Noon on the Friday immediately following such Monday, notwithstanding the fact that any such days may be legal holidays;

(2) Each candidate for a county judicial office, a local board of education office, or an office of a consolidated government, or the candidate's agent, desiring to have his or her name placed on the nonpartisan election ballot shall file notice of candidacy in the office of the superintendent no earlier than 9:00 A.M. on the Monday of the eleventh week immediately prior to the election and no later than 12:00 Noon on the Friday immediately following such Monday, notwithstanding the fact that any such days may be legal holidays;

(3)

(A) Each candidate for a nonpartisan municipal office or a designee shall file a notice of candidacy in the office of the municipal superintendent of such candidate's municipality during the municipality's nonpartisan qualifying period. Each municipal superintendent shall designate the days of such qualifying period, which shall be no less than three days and no more than five days. The days of the qualifying period shall be consecutive days. Nonpartisan qualifying periods shall commence no earlier than 8:30 A.M. on the third Monday in August immediately preceding the general election and shall end no later than 4:30 P.M. on the following Friday; and, in the case of a special election, the municipal nonpartisan qualifying period shall commence no earlier than the date of the call and shall end no later than 25 days prior to the election.

(B) In any case in which no individual has filed a notice of candidacy and paid the prescribed qualifying fee to fill a particular office in a nonpartisan municipal election, the governing authority of the municipality shall be authorized to reopen qualifying for candidates at 9:00 A.M. on the Monday next following the close of the preceding qualifying period and cease such qualifying at 5:00 P.M. on the Tuesday immediately following such Monday, notwithstanding the fact that such days may be legal holidays;

(3.1) In any case where no candidate has filed notice of candidacy and paid the prescribed qualifying fee in a nonpartisan election prior to the close of the applicable qualifying period prescribed in this subsection, qualifying for candidates shall be reopened at 9:00 A.M. on the Monday next following the close of the preceding qualifying period and shall cease at 5:00 P.M. on the Tuesday immediately following such reopening, notwithstanding the fact that any such days may be legal holidays; and

(4) In any case where an incumbent has filed notice of candidacy and paid the prescribed qualifying fee in a nonpartisan election to succeed himself or herself in office but withdraws as a candidate for such office prior to the close of the applicable qualifying period prescribed in this subsection, qualifying for candidates other than such incumbent shall be reopened at 9:00 A.M. on the Monday next following the close of the preceding qualifying period and shall cease at 5:00 P.M. on the Tuesday immediately following such reopening, notwithstanding the fact that any such days may be legal holidays.

(d) All political body and independent candidates shall file their notice of candidacy and pay the prescribed qualifying fee by the date prescribed in this subsection in order to be eligible to have their names placed on the election ballot by the Secretary of State or election superintendent, as the case may

be, in the following manner:

(1) Each elector for President or Vice President of the United States, or his or her agent, desiring to have the names of his or her candidates for President and Vice President placed on the election ballot shall file a notice of his or her candidacy, giving his or her name, residence address, and the office he or she is seeking, in the office of the Secretary of State during the period beginning at 9:00 A.M. on the fourth Monday in June immediately prior to the election and ending at 12:00 Noon on the Friday following the fourth Monday in June, notwithstanding the fact that any such days may be legal holidays;

(2) Each candidate for United States Senate, United States House of Representatives, or state office, or his or her agent, desiring to have his or her name placed on the election ballot shall file a notice of his or her candidacy, giving his or her name, residence address, and the office he or she is seeking, in the office of the Secretary of State during the period beginning at 9:00 A.M. on the Monday of the thirty-fifth week immediately prior to the election and ending at 12:00 Noon on the Friday immediately following such Monday, notwithstanding the fact that any such days may be legal holidays, in the case of a general election. In the case of a special election to fill a federal office listed in this subsection, each candidate shall file a notice of his or her candidacy, giving his or her name, residence address, and the office he or she is seeking, in the office of the Secretary of State no earlier than the date of the call of the special election and no later than 60 days prior to the special election. In the case of a special election to fill a state office, each candidate shall file a notice of his or her candidacy, giving his or her name, residence address, and the office he or she is seeking, in the office of the Secretary of State no earlier than the date of the call of the special election and no later than 25 days prior to the special election;

(3) Each candidate for a county office, or his or her agent, desiring to have his or her name placed on the election ballot shall file notice of his or her candidacy in the office of the superintendent of his or her county during the period beginning at 9:00 A.M. on the Monday of the thirty-fifth week immediately prior to the election and ending at 12:00 Noon on the Friday immediately following such Monday, notwithstanding the fact that any such days may be legal holidays, in the case of a general election and no earlier than the date of the call of the election and no later than 25 days prior to the election in the case of a special election;

(4) Each candidate for municipal office or a designee shall file a notice of candidacy in the office of the municipal superintendent of such candidate's municipality during the municipality's qualifying period. Each municipal superintendent shall designate the days of the qualifying period, which shall be no less than three days and no more than five days. The days of the qualifying period shall be consecutive days. Qualifying periods shall commence no earlier than 8:30 A.M. on the third Monday in August immediately preceding the general election and shall end no later than 4:30 P.M. on the following Friday; and, in the case of a special election, the municipal qualifying period shall commence no earlier than the date of the call and shall end no later than 25 days prior to the election; and

(5)

(A) In extraordinary circumstances as described in Code Section 21-2-543.1, each candidate, or his or her agent, desiring to have his or her name placed on the election ballot shall file a notice of his or her candidacy, giving his or her name, residence address, and the office he or she is seeking, with the office

of the Secretary of State no earlier than the date of the call of the special election and no later than ten days after the announcement of such extraordinary circumstances.

(B) The provisions of this subsection shall not apply where, during the 75 day period beginning on the date of the announcement of the vacancy:

(i) A regularly scheduled general election for the vacant office is to be held; or

(ii) Another special election for the vacant office is to be held pursuant to a writ for a special election issued by the Governor prior to the date of the announcement of the vacancy.

The hours of qualifying each day shall be from 8:30 A.M. until 4:30 P.M. with one hour allowed for the lunch break; provided, however, that municipalities which have normal business hours which cover a lesser period of time shall conduct qualifying during normal business hours for each such municipality. Except in the case of a special election, notice of the opening and closing dates and the hours for candidates to qualify shall be published at least two weeks prior to the opening of the qualifying period.

(e) Each candidate required to file a notice of candidacy by this Code section shall, no earlier than 9:00 A.M. on the fourth Monday in June immediately prior to the election and no later than 12:00 Noon on the second Tuesday in July immediately prior to the election, file with the same official with whom he or she filed his or her notice of candidacy a nomination petition in the form prescribed in Code Section 21-2-170, except that such petition shall not be required if such candidate is:

(1) A nominee of a political party for the office of presidential elector when such party has held a national convention and therein nominated candidates for President and Vice President of the United States;

(2) Seeking office in a special election;

(3) An incumbent qualifying as a candidate to succeed himself or herself;

(4) A candidate seeking election in a nonpartisan election; or

(5) A nominee for a state-wide office by a duly constituted political body convention, provided that the political body making the nomination has qualified to nominate candidates for state-wide public office under the provisions of Code Section 21-2-180.

(f) Each candidate required by this Code section to file a notice of candidacy shall accompany his or her notice of candidacy with an affidavit stating:

(1) His or her full name and the name as the candidate desires it to be listed on the ballot. The surname of the candidate shall be the surname of the candidate as it appears on the candidate's voter registration card unless the candidate provides proof that his or her surname as it appears on the candidate's registration card is incorrect in which event the correct name shall be listed. After such name is submitted to the Secretary of State or the election superintendent, the form of such name shall not be changed during the election for which such notice of candidacy is submitted;

(2) His or her residence, with street and number, if any, and his or her post office address;

(3) His or her profession, business, or occupation, if any;

(4) The name of his or her precinct;

(5) That he or she is an elector of the county or municipality of his or her residence eligible to vote in the election in which he or she is a candidate;

(6) The name of the office he or she is seeking;

(7) That he or she is eligible to hold such office;

(8) That the candidate has never been convicted and sentenced in any court of competent jurisdiction for fraudulent violation of primary or election laws, malfeasance in office, or felony involving moral turpitude or conviction of domestic violence under the laws of this state or any other state or of the United States, or that the candidate's civil rights have been restored and that at least ten years have elapsed from the date of the completion of the sentence without a subsequent conviction of another felony involving moral turpitude;

(9) That he or she will not knowingly violate this chapter or rules and regulations adopted under this chapter; and

(10) Any other information as may be determined by the Secretary of State to be necessary to comply with federal and state law.

The affidavit shall contain such other information as may be prescribed by the officer with whom the candidate files his or her notice of candidacy.

(g) A pauper's affidavit may be filed in lieu of paying the qualifying fee otherwise required by this Code section and Code Sections 21-2-131 and 21-2-138 of any candidate who has filed a qualifying petition as provided for in subsection (h) of this Code section. A candidate filing a pauper's affidavit instead of paying a qualifying fee shall under oath affirm his or her poverty and his or her resulting inability to pay the qualifying fee otherwise required. The form of the affidavit shall be prescribed by the Secretary of State and shall include a financial statement which lists the total income, assets, liabilities, and other relevant financial information of the candidate and shall indicate on its face that the candidate has neither the assets nor the income to pay the qualifying fee otherwise required. The affidavit shall contain an oath that such candidate has neither the assets nor the income to pay the qualifying fee otherwise required. The following warning shall be printed on the affidavit form prepared by the Secretary of State, to wit: "WARNING: Any person knowingly making any false statement on this affidavit commits the offense of false swearing and shall be guilty of a felony." The name of any candidate who subscribes and swears to an oath that such candidate has neither the assets nor the income to pay the qualifying fee otherwise required shall be placed on the ballot by the Secretary of State or election superintendent, as the case may be.

(h) No candidate shall be authorized to file a pauper's affidavit in lieu of paying the qualifying fee otherwise required by this Code section and Code Section 21-2-138 unless such candidate has filed a qualifying petition which complies with the following requirements:

(1) A qualifying petition of a candidate seeking an office which is voted upon state wide shall be signed by a number of voters equal to one-fourth of 1 percent of the total number of registered voters eligible to vote in the last election for the filling of the office the candidate is seeking and the signers of such petition shall be registered and eligible to vote in the election at which such candidate seeks to be elected. A qualifying petition of a candidate for any other office shall be signed by a number of voters equal to 1 percent of the total number of registered voters eligible to vote in the last election for the filling of the office the candidate is seeking and the signers of such petition shall be registered and eligible to vote in the election at which such candidate seeks to be elected. However, in the case of a

candidate seeking an office for which there has never been an election or seeking an office in a newly constituted constituency, the percentage figure shall be computed on the total number of registered voters in the constituency who would have been qualified to vote for such office had the election been held at the last general election and the signers of such petition shall be registered and eligible to vote in the election at which such candidate seeks to be elected;

(2) Each person signing a qualifying petition shall declare therein that he or she is a duly qualified and registered elector of the state entitled to vote in the next election for the filling of the office sought by the candidate supported by the petition and shall add to his or her signature his or her residence address, giving municipality, if any, and county, with street and number, if any. No person shall sign the same petition more than once. Each petition shall support the candidacy of only a single candidate. A signature shall be stricken from the petition when the signer so requests prior to the presentation of the petition to the appropriate officer for filing, but such a request shall be disregarded if made after such presentation. Each sheet shall bear on the bottom or back thereof the affidavit of the circulator of such sheet, which shall be subscribed and sworn to by such circulator before a notary public and shall set forth:

(A) His or her residence address, giving municipality with street and number, if any;

(B) That each signer manually signed his or her own name with full knowledge of the contents of the qualifying petition;

(C) That each signature on such sheet was signed within 180 days of the last day on which such petition may be filed; and

(D) That, to the best of the affiant's knowledge and belief, the signers are registered electors of the state qualified to sign the petition, that their respective residences are correctly stated in the petition, and that they all reside in the county named in the affidavit;

(3) A qualifying petition shall be in the form and manner determined by the Secretary of State and approved by the State Elections Board;

(4) No qualifying petition shall be circulated prior to 180 days before the last day on which such petition may be filed, and no signature shall be counted unless it was signed within 180 days of the last day for filing the same; and

(5) A qualifying petition shall not be amended or supplemented after its presentation to the appropriate officer for filing.

No notary public may sign the petition as an elector or serve as a circulator of any petition which he or she notarized. Any and all sheets of a petition that have the circulator's affidavit notarized by a notary public who also served as a circulator of one or more sheets of the petition or who signed one of the sheets of the petition as an elector shall be disqualified and rejected.

(i) Reserved.

(j)

(1) Notwithstanding any provision of law to the contrary, any elected public officer who is performing ordered military duty, as defined in Code Section 38-2-279, shall be eligible for reelection in any primary or general election which may be held to elect a successor for the next term of office, and may qualify in

absentia as a candidate for reelection to such office. The performance of ordered military duty shall not create a vacancy in such office during the term for which such public officer was elected.

(2) Where the giving of written notice of candidacy is required, any elected public officer who is performing ordered military duty may deliver such notice by mail, agent, or messenger to the proper elections official. Any other act required by law of a candidate may, during the time such officer is on ordered military duty, be performed by an agent designated in writing by the absent public officer.

History

Ga. L. 1922, p. 97, § 3; Code 1933, § 34-1904; Ga. L. 1948, Ex. Sess., p. 3, § 1; Ga. L. 1962, p. 618, § 1; Code 1933, § 34-1001, enacted by Ga. L. 1964, Ex. Sess., p. 26, § 1; Ga. L. 1965, p. 224, § 1; Ga. L. 1968, p. 826, § 1; Ga. L. 1968, p. 858, § 1; Ga. L. 1968, p. 871, § 5; Ga. L. 1969, p. 329, § 8B; Code 1933, § 34-1002, enacted by Ga. L. 1970, p. 347, § 13; Ga. L. 1971, p. 602, § 2; Ga. L. 1977, p. 1053, § 3; Ga. L. 1978, p. 1004, § 16; Ga. L. 1979, p. 955, § 4; Ga. L. 1981, p. 1718, §§ 4, 11; Ga. L. 1982, p. 1512, § 5; Ga. L. 1983, p. 140, § 1; Ga. L. 1983, p. 884, § 6-5; Ga. L. 1983, p. 930, § 3; Ga. L. 1983, p. 1190, § 4; Ga. L. 1984, p. 133, § 1; Ga. L. 1984, p. 780, § 1; Ga. L. 1984, p. 1038, § 1; Ga. L. 1985, p. 496, § 3; Ga. L. 1986, p. 32, § 1; Ga. L. 1986, p. 890, § 2; Ga. L. 1987, p. 647, § 1; Ga. L. 1987, p. 1360, § 5; Ga. L. 1989, p. 643, § 2; Ga. L. 1990, p. 243, § 1; Ga. L. 1993, p. 118, § 1; Ga. L. 1994, p. 1406, § 2; Ga. L. 1995, p. 1027, § 3; Ga. L. 1996, p. 145, § 1; Ga. L. 1997, p. 590, § 8; Ga. L. 1998, p. 295, § 1; Ga. L. 1999, p. 23, § 1; Ga. L. 1999, p. 52, § 5; Ga. L. 2001, p. 269, § 5; Ga. L. 2001, Ex. Sess., p. 325, § 2; Ga. L. 2002, p. 437, § 1; Ga. L. 2003, p. 517, § 11; Ga. L. 2005, p. 253, §§ 13, 14/HB 244; Ga. L. 2006, p. 69, § 1/SB 467; Ga. L. 2008, p. 781, § 6/HB 1112; Ga. L. 2009, p. 311, § 2/HB 156; Ga. L. 2011, p. 678, § 1/HB 158; Ga. L. 2011, p. 683, § 2A/SB 82; Ga. L. 2012, p. 995, § 5/SB 92; Ga. L. 2014, p. 1, § 1/HB 310; Ga. L. 2016, p. 173, §§ 2, 3/SB 199; Ga. L. 2016, p. 864, § 21/HB 737; Ga. L. 2017, p. 697, § 3/HB 268; Ga. L. 2018, p. 1112, § 21/SB 365; Ga. L. 2024, p. 812, § 2/HB 1207, effective July 1, 2024.

▼ Annotations

Notes

Amendments.

The 2017 amendment, effective July 1, 2017, rewrote paragraph (d)(1); added paragraph (d)(2); redesignated former paragraph (d)(2) as present paragraph (d)(3); and, in paragraph (d)(3), deleted "either" following "his or her county" near the middle, and deleted "or during the period

beginning at 9:00 A.M. on the fourth Monday in June immediately prior to the election and ending at 12:00 Noon on the Friday following the fourth Monday in June, notwithstanding the fact that any such days may be legal holidays," following "may be legal holidays," near the end; and redesignated former paragraphs (d)(3) and (d)(4) as present paragraphs (d)(4) and (d)(5), respectively.

The 2018 amendment, effective May 8, 2018, part of an Act to revise, modernize, and correct the Code, substituted "local board of education" for "local school board" near the beginning of paragraph (c)(2).

The 2024 amendment, effective July 1, 2024, deleted "and" at the end of subparagraph (c)(3) (B); and added paragraph (c)(3.1).

Editor's notes.

Ga. L. 1983, p. 930, § 1, not codified by the General Assembly, provided: "It is the intent of this Act to implement certain changes required by Article II, Section I, Paragraph III and Article II, Section II, Paragraph III of the Constitution of the State of Georgia."

Ga. L. 1983, p. 1190, § 1, not codified by the General Assembly, provided that it was the intent of that Act to implement the provisions of Ga. Const. 1983, Art. VI, Sec. VII, Para. I.

Ga. L. 2011, p. 683, § 21A/SB 82, not codified by the General Assembly, provides, in part that: "Section 2A of this Act shall become effective on July 1, 2011, only if House Bill 158 is passed by the General Assembly during the 2011 regular session and is approved by the Governor or becomes law without such approval. Otherwise, Section 2A shall be repealed by operation of law on such date and shall be of no force and effect." House Bill 158 was Ga. L. 2011, p. 678, which was approved on May 13, 2011.

JUDICIAL DECISIONS

Qualifying fee requirement not unconstitutional. —

Summary judgment was granted to the state on an equal protection claim brought by a minor political party, its candidates, and its registered voters where the fact that Georgia provided an alternative way to access the general-election ballot through votes obtained in the prior election did not mean that the state had created a distinction violative of the right to equal protection. *Cowen v. Raffensperger*, 537 F. Supp. 3d 1327, 2021 U.S. Dist. LEXIS 181544 (N.D. Ga. 2021), rev'd in part, aff'd, 22 F.4th 1227, 2022 U.S. App. LEXIS 390 (11th Cir. 2022).

Effect of federal preclearance procedure. —

Where plaintiff political party held no convention in 1986 to choose its nominees but claimed it was denied ballot access by the fact that it was notified of the resolution of the federal preclearance procedure one day after the deadline for filing notice of candidacy, the court found no merit in this argument since the notice of candidacy provision, enacted one year before the June 9, 1986 preclearance determination was not altered by the 1986 amendments in O.C.G.A. T. 21 and thus was not subject to the preclearance determination. *Libertarian Party of Georgia v. Harris*, 644 F. Supp. 602, 1986 U.S. Dist. LEXIS 21463 (N.D. Ga. 1986).

Where plaintiff political body contended federal preclearance of the 1986 amendments to O.C.G.A. T. 21 was "late," plaintiff should have complied with the unchallenged Election Code requirements of holding a convention and filing notice of candidacy. *Libertarian Party of Georgia v. Harris*, 644 F. Supp. 602, 1986 U.S. Dist. LEXIS 21463 (N.D. Ga. 1986).

Lawsuit seeking name placed on ballot properly dismissed. —

Trial court properly dismissed a nominee's lawsuit seeking to have the nominee's name placed upon the ballot for the 2016 general election as an independent candidate for President of the United States because the notices of candidacy were submitted 11 days after the deadline set forth in O.C.G.A. § 21-2-132(d)(1) and the nominee failed to have enough signatures verified; thus, the nominee was not entitled to have the name placed on the ballot. *De La Fuente v. Kemp*, 300 Ga. 79, 793 S.E.2d 89, 2016 Ga. LEXIS 712 (2016).

For comparison of procedures followed by political parties and political bodies, see *McCrary v. Poythress*, 638 F.2d 1308, 1981 U.S. App. LEXIS 19337 (5th Cir.), cert. denied, 454 U.S. 865, 102 S. Ct. 325, 70 L. Ed. 2d 165, 1981 U.S. LEXIS 3671 (1981).

Eligibility as independent candidate. — Anyone who wishes, and who is otherwise eligible, may be an independent candidate for any office in this state. *McCrary v. Poythress*, 638 F.2d 1308, 1981 U.S. App. LEXIS 19337 (5th Cir.), cert. denied, 454 U.S. 865, 102 S. Ct. 325, 70 L. Ed. 2d 165, 1981 U.S. LEXIS 3671 (1981).

Unpublished decision: District court properly denied an independent candidate's motion for a preliminary injunction to block enforcement of the Georgia deadline statute in future presidential elections because the candidate failed to demonstrate that the candidate would suffer irreparable harm if a preliminary injunction did not issue and gave no reason to believe that the district court would be unable to rule on the candidate's requests for a permanent injunction and declaratory relief in the next three and a half years. *De La Fuente v. Kemp*, 679 Fed. Appx. 932, 2017 U.S. App. LEXIS 2665 (11th Cir. 2017), dismissed without prejudice, No. 1:16-CV-2937-MHC, 2017 U.S. Dist. LEXIS 122722 (N.D. Ga. Mar. 17, 2017).

Unpublished decision: District court properly denied an independent candidate's motion for preliminary injunctive relief as to the 2016 presidential election insofar as the candidate sought to preclude enforcement of the Georgia deadline statute for the 2016 elections because the appellate court could not prevent what had already occurred. *De La Fuente v. Kemp*, 679 Fed. Appx. 932, 2017 U.S. App. LEXIS 2665 (11th Cir. 2017), dismissed without prejudice, No. 1:16-CV-2937-MHC, 2017 U.S. Dist. LEXIS 122722 (N.D. Ga. Mar. 17, 2017).

In an action filed by Georgia voters challenging the **qualifications** of the presidential electors certified by two independent candidates running for President of the U.S., the court held that because neither of the candidates' electors filed a nomination petition in his or her own name as required by O.C.G.A. § 21-2-132, and therefore the candidates could not appear on Georgia's ballot for the office of the President. *Al-Bari v. Pigg*, 319 Ga. 825, 907 S.E.2d 186, 2024 Ga. LEXIS 209 (2024).

Each presidential elector for an independent candidate running for the office of President of the United States is a "candidate" required to file a notice of candidacy under O.C.G.A. § 21-2-132. That section applies to each presidential elector for an independent candidate running for the office of President of the United States, and each presidential elector is therefore required to file a nomination petition in his or her own name in the form prescribed in O.C.G.A. § 21-2-170. *Al-Bari v. Pigg*, 319 Ga. 825, 907 S.E.2d 186, 2024 Ga. LEXIS 209 (2024).

Write-in votes. —

The procedures provided for in O.C.G.A. §§ 21-2-132(c) and (d), 21-2-170(b) and (g), 21-2-171(a), 21-2-172, and 21-2-322(7) relate only to the right to have the name of a candidate or the nominee of a "political body" printed on the ballot. There is no limitation whatever, procedural or substantive, on the right of a voter to write in on the ballot the name of the candidate of the candidate's choice and to have that write-in vote counted. *McCrary v. Poythress*, 638 F.2d 1308, 1981 U.S. App. LEXIS 19337 (5th Cir.), cert. denied, 454 U.S. 865, 102 S. Ct. 325, 70 L. Ed. 2d 165, 1981 U.S. LEXIS 3671 (1981).

Candidate's filing of a driver's license change of address form four days before declaring candidacy did not cause the candidate to be qualified to vote in the district the candidate sought to represent. *Haynes v. Wells*, 273 Ga. 106, 538 S.E.2d 430, 2000 Ga. LEXIS 824 (2000).

Sufficiency of evidence for making false statements in filing for candidacy for political office. —

In a case in which defendant appealed a conviction for false swearing, in violation of O.C.G.A. § 16-10-71(a), challenging the sufficiency of the evidence, the state failed to prove that defendant had the requisite criminal intent to support the conviction when defendant signed a declaration of candidacy for county commissioner as set forth in O.C.G.A. §§ 21-2-132 and 21-2-153. Pursuant to O.C.G.A. § 17-7-95(c), a judgment imposing a sentence following a plea of nolo contendere was considered a conviction for some purposes; however, such a conviction did not disqualify defendant from holding public office or otherwise deprive defendant of any civil or political rights, and there was no evidence that defendant intended to deceive the election board or the voters, as defendant believed that the 1986 nolo contendere conviction to a charge of aggravated assault was generally known in the county. *Spillers v. State*, 299 Ga. App. 854, 683 S.E.2d 903, 2009 Ga. App. LEXIS 1009 (2009).

Opinion Notes

OPINIONS OF THE ATTORNEY GENERAL

Editor's notes.

In light of the similarity of the statutory provisions, opinions decided under former Code 1933, § 34A-901 and former Code Section 21-3-91 are included in the annotations for this Code section.

Qualifications for United States House of Representatives. —

Insofar as they require a candidate for the United States House of Representatives to be a registered voter or to be a resident of the district from which election is sought, Ga. Const. 1983, Art. II, Sec. II, Para. III and O.C.G.A. § 21-2-132 are unenforceable. 1983 Op. Att'y Gen. No. 83-62.

The only **qualifications** a candidate must possess to be eligible to seek the office of United States representative are those enumerated in U.S. Const., Art. I, Sec. II, Para. II. 1983 Op. Att'y Gen. No. 83-62.

When candidates to fill vacancy must qualify. —

Candidates seeking to fill the vacancy in the office of Judge of the Probate Court of Gwinnett County must qualify at the time specified in the call for the special election to fill the vacancy, which time cannot be earlier than the date of the call and not later than 25 days prior to the election, which must be held in conjunction with the 1986 November general election. 1986 Op. Att'y Gen. No. 86-26.

Methods for having name placed on ballot. —

The law set forth two methods by which an individual might have their name placed on an election ballot; the first method entailed a candidate's filing notice of candidacy in the office of the municipal superintendent within a prescribed time limit; the second method involved the nomination of a candidate by a political party or body. 1971 Op. Att'y Gen. No. 71-185 (decided under former Code 1933, § 34A-901).

Powers of city charter as to ballot requirements. —

A city charter cannot eliminate one of the methods by which a candidate might have a candidate's name placed on the ballot; however, it can impose the additional requirement that a nominating petition be presented by those not nominated by a political party. 1971 Op. Att'y Gen. No. 71-185 (decided under former Code 1933, § 34A-901).

Nominating petition

is necessary only if the municipality's charter or ordinance so requires it, and it must be in the form prescribed by law. 1971 Op. Att'y Gen. No. 71-185 (decided under former Code 1933, § 34A-901).

Authority of election superintendent to set dates for qualifying in special elections. —

An election superintendent is vested with the authority and discretion to choose a period between the date of the call for the special election and 25 days prior to the special election for candidates to qualify to seek office in a special election. 1986 Op. Att'y Gen. No. 86-33.

Candidate for party primary need not qualify in person. —

Absent a requirement to the contrary in the procedural rules of the candidate's party, a candidate for a party nomination in a primary is not required to qualify in person. 1976 Op. Att'y Gen. No. U76-23.

Research References & Practice Aids

Cross references.

Persons ineligible to hold public office, Ga. Const. 1983, Art. II, Sec. II, Para. III.

False swearing generally, § 16-10-71.

Duty of Secretary of State as to tabulation, computation, and canvassing of votes for state and federal officers, § 21-2-499

Penalties for offenses relating to nomination petitions, §§ 21-2-563, 21-2-564.

Penalty for making of false statement in connection with filing of notice of candidacy, § 21-2-565.

Qualifying in absentia for magistrates serving on active duty, § 15-10-20.1.

Law reviews.

For article on the 2014 amendment of this Code section, see 31 Ga. St. U. L. Rev. 93 (2014).

Administrative rules and regulations.

Appearance of candidate's name on ballot, Official Compilation of the Rules and Regulations of the State of Georgia, Georgia Election Code, Ballots, § 183-1-11-.02.

RESEARCH REFERENCES

Am. Jur. 2d.

26 Am. Jur. 2d, Elections, § 213 et seq.

C.J.S.

29 C.J.S., Elections, §§ 179, 239 et seq.

ALR.

Mandatory or directory character of statutory provision as to time of filing candidate's application or certificate of nomination before primary or election, 72 A.L.R. 290.

Construction and application of statutes and ordinances concerning establishment of residency as condition for running for municipal office, 74 A.L.R.6th 209.

Hierarchy Notes:

O.C.G.A. Title 21

O.C.G.A. Title 21, Ch. 2

O.C.G.A. Title 21, Ch. 2, Art. 4

O.C.G.A. Title 21, Ch. 2, Art. 4, Pt. 1

Content Type: Statutes and Legislation

Terms: qualification

Narrow By: custom: custom Sources: Official Code of Georgia Annotated

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CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Municipal Election Superintendent

AGENDA DATE: May 6, 2025

DATE PREPARED: May 5, 2025

PREPARED BY: Theresa Campbell

AMOUNT: n/a

GL ACCOUNT #: n/a

FUNDING SOURCE: n/a

BUDGETED ITEM? n/a

PURPOSE: To appoint the City Clerk, Theresa Campbell, as the Municipal Election Superintendent of the City of Villa Rica.

BACKGROUND: Sec. 2-158 of Article V of the City of Villa Rica's Code of Ordinances states, "The City Council shall by resolution annually appoint a municipal election superintendent...whom shall exercise those powers and duties set forth under state law." According to OCGA § 21-2-70 the governing authority of a municipality must name the municipal superintendent in a public meeting and the selection shall be recorded in the minutes of the meeting and in the event the governing authority does not make an appointment the city clerk shall serve as the municipal election superintendent.

MOTION: I move to appoint the City Clerk, Theresa Campbell, as the Municipal Election Superintendent of the City of Villa Rica.

R-87-2025

RESOLUTION

WHEREAS Article V. of the City of Villa Rica's Code of Ordinances governs Elections;
and

WHEREAS Sec. 2-158 states, The City Council shall by resolution annually appoint a
municipal election superintendent...whom shall exercise those powers and duties set forth under
state law,"; and

WHEREAS the Mayor and Council do hereby name Theresa Campbell, the City Clerk, as the
Municipal Election Superintendent for the City of Villa Rica; and

NOW, THEREFORE BE IT HEREBY RESOLVED that Theresa Campbell, the City
Clerk, is the Municipal Election Superintendent.

IT IS SO RESOLVED on this 13th day of May, 2025.

Leslie McPherson, Mayor

Attest:

LeAnne Wilkins, Deputy City Clerk



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: ELECTION OF GMA'S DISTRICT 4 OFFICERS FOR 2025-2026

AGENDA DATE: May 13, 2025

DATE PREPARED: May 5, 2025

PREPARED BY: Therea Campbell

AMOUNT: n/a

GL ACCOUNT #: n/a

FUNDING SOURCE: n/a

BUDGETED ITEM? No

PURPOSE: To approve a slate of candidates as GMA's District 4 Officers for 2025-2026.

BACKGROUND: GMA has submitted the ballot for their 2025-2026 District 4 officers. The City may vote to approve or oppose the proposed slate of city officials. The ballot is due on May 23, 2025.

MOTION: I move to approve the attached slate of four city officials as GMA's District 4 Officers for the 2025-2026 year.

ELECTION OF GMA'S DISTRICT 4 OFFICERS FOR 2025-2026

BALLOT

The nominating committee comprised of current District 4 officers and three additional elected officials nominated the following city officials as GMA's District 4 Officers for 2025-2026:

President	Michael Johnson, Mayor, Temple
First Vice President	Tammy Howe, Councilmember, Warm Springs
Second Vice President	Steve Fry, Mayor, Williamson
Third Vice President	Jacqueline Bridges, Councilmember, Carrollton

Is your city in favor of the nominees for positions of President, First Vice President, Second Vice President, and Third Vice President

Yes ____ No ____

Please provide the following information:

City: _____

Name of person submitting ballot: _____

I affirm that I am authorized to vote on behalf of the city:

Signature: _____

Please mail or email the ballot by May 23 to:

Niles Ford, Georgia Municipal Association, P.O. Box 105377, Atlanta, GA 30348; email at nford@gacities.com .



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT:	Developmental Regulations update to require utility availability statements
AGENDA DATE:	May 13, 2025
DATE PREPARED:	May 2, 2025
PREPARED BY:	Kevin W. Drummond
AMOUNT:	N/A
GL ACCOUNT #:	N/A
FUNDING SOURCE:	N/A
BUDGETED ITEM?	N/A
PUBLIC HEARING:	N/A

PURPOSE: Villa Rica is currently under a moratorium related to all new construction. The moratorium was enacted in response to capacity and conveyance concerns related to the City's water and sewer systems. In order to ensure that the City is able to adequately provide public utilities to current development and future growth, staff is recommending an update to the City's developmental regulations that will require a utility availability statement before the applications related to development may be processed and approved. Staff is recommending amendments to Sections 200, 202, 203 and 212 to require applicants to obtain a Utility Availability Statement. Section 200 establishes the process for determining whether the City has available water or sewer for a particular application.

BACKGROUND:

STAFF RECOMMENDATION: Staff recommends approving the ordinance changes.

IMPACT:

MOTION: I move to approve the amendments to Sections 200, 202, 203 and 212 of the Development Regulations as presented.

CITY OF VILLA RICA , STATE OF GEORGIA

ORDINANCE

AN ORDINANCE TO AMEND SECTIONS 200, 202, 203 AND 212 OF APPENDIX A – DEVELOPMENTAL REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF VILLA RICA, GEORGIA

WHEREAS, the City of Villa Rica is a municipal corporation duly chartered and incorporated in the State of Georgia; and

WHEREAS, the City Council determined a need to update their code of ordinances and after consideration of proposed changes and having duly noticing the proposed changes; and

NOW THEREFORE BE IT HEREBY ORDAINED by the City of Villa Rica Mayor and City Council as follows:

SECTION 1A.

The City of Villa Rica Code of Ordinances, Appendix A – Developmental Regulations, Section 200 is hereby amended as follows:

200. APPLICATION AND PLAN REVIEW ~~AND~~ GENERAL REQUIREMENTS

UTILITY AVAILABILITY STATEMENT.

- (A) The City shall not approve any applications for rezoning, annexation, special use permits, building permits, land disturbance permits or approve any new residential construction or any commercial development without a statement that adequate utility is available from the Utilities Director. Utility availability statements shall be valid for a period of one year from the date of its issuance and shall not be transferable.
- (B) Availability means that utility service is available to the property and that the service lines and facilities have adequate capacity to serve the development while still maintaining an appropriate level of service to the other users of the system. In making this determination, the city may consider both existing users and also users that have been approved for connection but have not yet done so. The Utilities Director may rely on qualified engineers and experts in making the determination of whether utility service is available and whether there is adequate capacity to serve for the proposed development.
 - (i.) Water capacity analysis is a process where every new development which will require connection of its potable water service to the city water system is reviewed to determine whether or not the new development will meet the minimum fire flow and pressure requirement of 20 psi at the highest occupied elevation under normal usage conditions or cause some other proximate user's pressure to drop below 20 psi under normal usage conditions. All proposed fire hydrants shall be capable of delivering 1,000 gallons per minute (gpm) in residential neighborhoods and 1,500 gpm in commercial areas or as otherwise determined by the county fire marshal based upon the type of development.
 - (a) The proposed water consumption flowrate(s) of the new development will be assumed to be equal to the average proposed sewage flows estimated per Georgia Manual for

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- On-site Sewage Management Systems Table JT-1 with an appropriate peaking factor based on diurnal variations.
- (b) The city's water system has been modeled with the use of a hydraulic modeling application. The proposed flowrates will be added to the model in order to calculate the residual pressure.
 - (c) If the new development's residual pressure does not meet the requirement of 20 psi at the highest occupied elevation under normal usage conditions, or, cannot meet the fire flow requirements set forth above, the analyzed water line will be assumed to be unsuitable for the new development. If the developer wants access, the developer may pay the city in an appropriate amount to upgrade to a new water line so as to provide adequate residual pressure.
- (ii) Sewer capacity analysis is a process where every new development which will require a connection of its sewer to the city's sewer system is reviewed to determine whether or not there is adequate capacity in the sewer system to convey the new sewage from proposed development to the WWTP.
- (a) The proposed flowrate(s) in gallons per day (gpd) of the new development will be calculated and peaked with a factor of 3. Sewage flows of new developments will be estimated per Georgia Manual for On-Site Sewage Management Systems Table JT-1.
 - (b) The existing flowrate(s) (gpd) and proposed flows that will flow into the same collection system as the new development will be calculated and peaked with a factor of 3. Existing flowrates will be estimated per Georgia Manual for On-Site Sewage Management Systems Table JT.
 - (c) The ratio between the sum of the peaked flowrates (proposed and existing) and the sewer line capacity will be analyzed to determine if 60 percent of the sewer line's capacity has been exceeded.
 - (d) If the new development's proposed flowrate does cause the projected flows in the sewer line to exceed the 60 percent capacity level, the sewer's capacity will be deemed inadequate for the new development.
 - (e) If the existing sewer does not have adequate capacity to convey the proposed flowrate, the developer may pay the amount to the city to upgrade the sewer so as to be able to provide adequate capacity.
- (C) City water and sewer service is provided to the residents and properties within the limits of Villa Rica service area for each as defined by the most recent Carroll County and Douglas County service delivery strategy agreements. New service of properties outside of the service area shall be allowed only with the express written consent of the city and the governing agency of the adjacent service delivery area.
- (D) In the event of a request for utility service at a location in which it has been determined that adequate service capacity is unavailable, the city may deny the issuance of any building or land disturbance permits or may condition new utility connections on the payment by the user or developer of the cost of new or improved infrastructure required to serve the development.
- (E) In the event that the Utility Director determines that a utility is not available, the applicant may appeal the decision to the City Council. The City Council shall consider whatever evidence from the applicant and shall consider either the testimony or report from the Utility Director, or his/her designee, or both.
- (F) The Utility Director may issue a conditional availability letter, subject to approval by Council, when adequate utility is not available if the applicant presents a development agreement to the Utility Director that will be beneficial to the City, with respect to improvements to the City's utility capacity and/or conveyance, and said

improvements will be paid for by the applicant or developer. A conditional availability letter must be approved by Council prior to the approval of any permits, rezonings or annexations.

200.1 Standard Operating Procedures for the project development process are included at the end of this section. (Section 212)

SECTION 1B.

The City of Villa Rica Code of Ordinances, Appendix A – Developmental Regulations, Section 202 is hereby amended as follows:

202. Plan Review Procedure.

Plan review procedures are dependent on the type of the proposed development. Plans may not be reviewed without a Utility Availability Statement as provided in Section 200. There are three types of developments as follows:

- A. Subdivision developments (residential, commercial, and industrial) involving the subdividing of a tract or parcel of land into two (2) lots or building sites:
- B. Subdivision developments (residential, commercial, and industrial) involving the subdividing of a tract or parcel of land into three (3) or more lots or building sites; and
- C. Non-subdivision commercial/industrial developments.

202.1 Stages of Residential Subdivision Development Plans Review:

Scope:

Plan design, submittal, and review is divided into 4 stages which correspond to the following 4 types of plans:

1. *Preliminary Plat.* Conceptual street and lot layout of subdivision with topography of not more than two (2) foot intervals. A plat review fee shall be required at the time of submittal. No less than twenty (20) working days prior to the next regular meeting of the planning commission, a letter addressed to the planning commission requesting review and approval of a preliminary plat shall be given to the Community Development office along with six (6) copies of the plat for distribution. Upon approval of the plat by individual departments, six (6) copies of the approved plat stamped by each department shall be submitted to the Community Development office to be distributed to the City of Villa Rica Planning Commission for approval. Approval of a preliminary plat shall expire and be null and void after a period of 24 months from the date of approval unless an extension of time is approved by the Planning Commission. (A preliminary plat shall not be required of subdivisions on an existing street involving only two (2) lots or building sites.

Information to be Provided.

Preliminary subdivision plats shall contain the following information:

1. Subdivision Name.
2. Name, address and 24-hour phone number of developer.
3. Date including most recent revision date.
4. Graphic scale (not to exceed 1" = 100')
5. Location Index map (approximate scale 1" = 6000')
6. North arrow.

7. Land lot, District and Section.
8. Maximum sheet size 24" x 36" unless otherwise approved.
9. Exact boundary lines of the entire tract indicated by a heavy line giving lengths and bearings.
10. Present zoning and zoning of abutting land.
11. Proposed street and lot layout.
12. Proposed street names.
13. Lot lines with approximate dimensions.
14. Location of bold lines for phased developments.
15. Lots numbered consecutively disregarding phasing.
16. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
17. Existing streets, utilities, and easements on and adjacent to the tract.
18. Provisions for water supply, sewerage, and drainage.
19. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
20. Minimum building front yard setback line shown graphically on the plat.
21. Surveyors and/or Engineer's Stamp.
22. Signature Statement for planning commission. Statement shall read as follows:

Preliminary Plat Approval Certificate

All requirements of the City of Villa Rica Development Regulations relative to the preparation and submission of a Preliminary Plat having been fulfilled, approval of this plat is hereby granted subject to further provisions of said Regulations. This certificate is effective for 24 months from the date of signing unless a Final Plat is recorded.

Planning Commission Chairman	Date	City Clerk	Date

23. Any and all other information as may be required by the City.
 24. Names of owners of record of adjoining properties.
2. *Construction Plans.* Detailed design plans of proposed subdivision infrastructure improvements. Six (6) sets of the construction plans shall be submitted to the Community Development office for distribution. A plan review fee shall be required at the time of submittal. Upon approval of the plans, a stamped approved copy shall be given to each department and the developer sets up a pre-construction conference with the contractor(s) and the City departments mentioned herein. If any construction activity involves a state right-of-way, the developer must first contact Public Works and obtain Georgia D.O.T. approval before construction plans can be approved by the city.

Information to be Provided.

Construction Plans shall contain the following information:

Road Design

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1. Acceleration/deceleration lanes at entrance.
 2. Typical road section for all roads.
 3. Dimensions of turn radii.
 4. Plan and profile of existing city or county road at proposed entrance with the City of Villa Rica's minimum horizontal and vertical stopping sight distance requirements satisfied. The speed limit for the existing city or county road shall be shown.
 5. If additional right-of-way is required to bring the City Road up to minimum standards, as shown on the current City Street Classification Map, the future right-of-way shall be shown on the plan. Set backs shall be measured from the future right-of-way.
 6. Proposed street profiles for all new streets.
 7. Proposed street grades.
 8. Proposed length of vertical curves.
 9. Vertical stopping sight distance at all proposed internal subdivision intersections.
 10. Street horizontal curve radii.
 11. All radii, curb set back and taper details.
 12. Typical construction details (curb and gutter, paving, etc.)
 13. Street signs.

Storm Drainage

1. Topographic layout of development at two (2) foot contour intervals based on mean sea level datum with storm drain layout.
2. Location, size, and length of existing drainage structures with drainage area.
3. Description by registered engineer of downstream property showing the method of runoff control will not adversely affect the property downstream.
4. Location, size, length, and type of all proposed drainage structures.
5. Drainage area to each inlet point of the drainage system.
6. Ditch profiles.
7. Ditch cross-sections every (50) feet with velocity of runoff (no more than 5.0 fps without lining the ditch.)
8. Hydrology study by a state approved professional for detention ponds, if required.
9. The 100-year floodplain/Future Conditions floodplain limits and elevation or note absence.
10. Profile of storm drainage pipes.
11. All cross-drain pipes shown on the street profiles.
12. Water travel distance between catch basins.
13. Drainage at intersections indicated by flow arrows on plan sheet.
14. All drainage structure outlets to be erosion proofed.
15. Method of sizing all storm drainage structures.
16. Easements for drainage system - minimum of ten (10) feet for piped runoff, minimum of twenty (20) feet for open ditches.

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17. Dam breach zone shown if an existing or proposed permanent pond/lake is a part of the proposed subdivision.
 18. Cul-de-sac grading detail for steep downhill cul-de-sacs.

Water Layout

1. Site plan with water layout only.
2. Pipe locations and sizes
3. Location and size of gate valves & air release valves.
4. Thrust blocks at all bends and tees.
5. Location of all existing and proposed fire hydrants.
6. Existing water main locations, sizes, and types of materials surrounding the project.
7. Detail of tap to water main.
8. Proposed meter sizes and locations.
9. Nearest existing line valves on main, in order to isolate tap.
10. Pressure flow-test results.
11. If proposed water line crosses private property, a twenty foot (20) permanent easement is required.

Sewer Layout

1. EPD Sanitary Sewer Submittal Form filled out by registered engineer.
2. Site plan showing sewer layout.
3. Sewer layout should have manhole numbers, line designations, flow arrows, street names, and topography.
4. Sewer layout showing proposed storm drain crossings.
5. Detail tie-in of proposed lines with existing lines as to elevation and invert direction of manholes.
6. Profile of proposed sewer lines.
7. Manhole numbers and locations.
8. Outside drop-manhole designated.
9. Percent grade, length, size of lines.
10. Lateral locations.
11. Materials to be used.
12. Location in profile of streams and storm drains.
13. Easements to be twenty (20) foot permanent and sixty (60) foot for temporary construction.
14. Easements for future sewers if required.
15. Bedding details.

Additional Requirements:

1. Preliminary plat submitted with construction plans.
2. Sidewalks.

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3. Show location of all wells within one hundred (100) feet of property or certify that there are no wells, if lots are served by septic tank.
 4. Names of all utility companies.
 5. Erosion control plan.
 6. Tree protection plan.
 7. Show location of any landfills or debris or garbage disposal sites on the property.
 8. Additional Notes Below:
Notes:
 1. It is the developer's responsibility to address any wetland issues to the satisfaction of the U.S. Army Corps of Engineers.
 2. It is the developer's responsibility to abide by all the rules and regulations pertaining to the State of Georgia's National Pollutant Discharge Elimination System (NPDES) permit requirements.
 3. It is the developer's responsibility to abide by all the rules and regulations pertaining to the U.S. Fish and Wildlife Service if applicable.
3. *Erosion and Sediment Control Plans.* A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity involving the disturbance of 1.0 acres or greater. Said plans are a part of the requirements for a Land Disturbance Permit as addressed in Section 700 of the City of Villa Rica Development Regulations. An approved copy of this plan must be provided to all departments as part of the construction plan review process.
4. *Final Plat.* Plan of subdivision which conforms to the approved preliminary plat and the specifications required herein for recording at the Clerk of Superior Court. A plat review fee shall be required at the time of submittal. Prior to the submittal of the final plat for review, the following shall apply: 1.) All street and utility construction must be completed, inspected and approved; 2.) All property corner pins must be installed; 3.) As-built drawings must be submitted; and 4.) Bonding requirements, if applicable, satisfied. Six (6) copies of the final plat and as-built drawings shall be submitted to the Community Development office for distribution. Once the signatures of approval from the designated City Departments have been obtained on the final plat, the developer shall submit the plat to the Clerk of Superior Court of Carroll County and/or Douglas County for recording. Upon recording of the final plat, the developer shall provide four (4) hard copies of the plat to the Community Development office. An electronic version of the final plat shall be provided in AutoCAD format to the Community Development office.

The Final Plat shall contain the following information:

1. Sheet size no larger than 18" x 24".
2. Exact boundary lines of the tract by bearings and distances determined by a field survey.
3. Field survey error of closure not to exceed one to ten thousand.
4. Equipment used in field survey.
5. Calculated error of closure of plat.
6. Present zoning and zoning of abutting land.
7. Exact locations, R/W widths, and names of all streets that immediately adjoin the subdivision.
8. Appropriate data for all streets, lot lines, and centerlines as required by the city and according to the requirements of the State of Georgia for professional surveyors and engineers.

9. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning. All zoning stipulations, if any, must also be on the plat.
10. Lots shall be numbered consecutively; divisions shall be made by units or phases.
11. Each lot's area in square feet or acres.
12. Deed book and page number of protective covenants if any.
13. Accurate location, material, and description of all monuments and markers.
14. Location of sidewalks.
15. Show all Storm lines on plat.
16. Location of all easements.
17. Required buffers and recreational areas (if any).
18. Land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.
19. All surveys and plats must be prepared by a state certified engineer and/or surveyor.
20. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
21. The following certificate statements shall be shown on the plat:

Owner's Certificate:

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state, city and county taxes or other assessments now due on this land have been paid, that all streets, water systems drains and drainage easements, and public places are dedicated to the use of the public forever.

_____	_____
Owner	Date

Surveyor's Certificate:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all monuments shown hereon actually exist or are marked "future" and their location, size, type and material are correctly shown, and that all requirements of the development and zoning regulations have been fully complied with.

_____	_____
Owner	Date

City of Villa Rica Certificate:

In accordance to the City of Villa Rica Development Regulations and the City's Zoning Ordinance, all requirements of approval have been fulfilled; this plat was given final approval by the following City officials and personnel and on behalf of the City of Villa Rica:

_____	_____
_____	_____
_____	_____

Community Development Director	Date
Mayor	Date

Covenants, if separately recorded:

This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby become a part of this plat, and which were recorded in plat book _____ Page _____.

[22]. Any and all other information as required by the city.

202.2 Stages of Commercial/Industrial Subdivision Plan Reviews.

Scope:

Plan design, submittal, and review is divided into 4 stages which corresponds to the following 4 types of plans:

1. *Preliminary Plat.* Conceptual street and lot layout of subdivision with topography of not more than two (2) foot intervals. A plat review fee shall be required at the time of submittal. No less than twenty (20) working days prior to the next regular meeting of the planning commission, a letter addressed to the planning commission requesting review and approval of a preliminary plat shall be given to the Community Development office along with six (6) copies of the plat for distribution. Upon approval of the plat by individual departments, six (6) copies of the approved plat stamped by each department shall be submitted to the Community Development office to be distributed to the City of Villa Rica Planning Department for approval. Approval of a preliminary plat shall expire and be null and void after a period of 24 months from the date of approval unless an extension of time is approved by the Planning Commission. (A preliminary plat shall not be required of subdivisions on an existing street involving only two (2) lots or building sites.

Information to be Provided.

Preliminary subdivision plats shall contain the following information:

1. Subdivision Name.
2. Name, address and 24-hour phone number of developer.
3. Date including most recent revision date.
4. Graphic scale (not to exceed 1" = 100').
5. Location Index map (approximate scale 1" = 6,000').
6. North arrow.
7. Land lot, District and Section.
8. Maximum sheet size 24" x 36" unless otherwise approved.
9. Exact boundary lines of the entire tract indicated by a heavy line giving lengths and bearings.
10. Present zoning and zoning of abutting land.
11. Proposed street and lot layout.
12. Proposed street names.
13. Lot lines with approximate dimensions.
14. Location of bold lines for phased developments.

15. Lots numbered consecutively disregarding phasing.
16. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
- [17]. Existing streets, utilities, and easements on and adjacent to the tract.
- [18]. Provisions for water supply, sewerage, and drainage.
- [19]. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
20. Minimum building front yard setback line shown graphically on the plat.
21. Surveyors and/or Engineer's Stamp.
22. Signature Statement for Planning Commission. Statement shall read as follows:

Preliminary Plat Approval Certificate

All requirements of the City of Villa Rica Development Regulations relative to the preparation and submission of a Preliminary Plat having been fulfilled, approval of this plat is hereby granted subject to further provisions of said Regulations. This certificate is effective for 24 months from the date of signing unless a Final Plat is recorded.

Community Development	Date	City Clerk	Date

23. Any and all other information as may be required by the City.
 24. Names of owners of record of adjoining properties.
2. *Construction Plans.* Detailed design plans of proposed subdivision infrastructure improvements. Six (6) sets of the construction plans shall be submitted to the Community Development office for distribution. A plan review fee shall be required at the time of submittal. Upon approval of the plans, a stamped approved copy shall be given to each department and the developer sets up a pre-construction conference with the contractor(s) and the City departments mentioned herein. If any construction activity involves a state right-of-way, the developer must first contact Public Works and obtain Georgia D.O.T. approval before construction plans can be approved by the city.

Information to be Provided.

Construction Plans shall contain the following information:

Road Design

1. Acceleration/deceleration lanes at entrance.
2. Typical road section for all roads.
3. Dimensions of turn radii.
4. Plan and profile of existing city or county road at proposed entrance with the City of Villa Rica's minimum horizontal and vertical stopping sight distance requirements satisfied. The speed limit for the existing city or county road shall be shown.
5. If additional right-of-way is required to bring the City Road up to minimum standards, as shown on the current City Street Classification Map, the future right-of-way shall be shown on the plan. Setbacks shall be measured from the future right-of-way.
6. Proposed street profiles for all new streets.

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7. Proposed street grades.
 8. Proposed length of vertical curves.
 9. Vertical stopping sight distance at all proposed internal subdivision intersections.
 10. Street Horizontal curve radii.
 11. All radii, curb set back and taper details.
 12. Typical construction details (curb and gutter, paving, etc.)
 13. Street signs.

Storm Drainage

1. Topographic layout of development at two (2) foot contour intervals based on mean sea level datum with storm drain layout.
2. Location, size, and length of existing drainage structures with drainage area.
3. Description by registered engineer of downstream property showing the method of runoff control will not adversely affect the property downstream.
4. Location, size, length, and type of all proposed drainage structures.
5. Drainage area to each inlet point of the drainage system.
6. Ditch profiles.
7. Ditch cross-sections every (50) feet with velocity of runoff (no more than 5.0 fps without lining the ditch).
8. Hydrology study by a state approved professional for detention ponds, if required.
9. The 100-year floodplain and Future Condition floodplain limits and elevation or note absence.
10. Profile of storm drainage pipes.
11. All cross-drain pipes shown on the street profiles.
12. Water travel distance between catch basins.
13. Drainage at intersections indicated by flow arrows on plan sheet.
14. All drainage structure outlets to be erosion proofed.
15. Method of sizing all storm drainage structures.
16. Easements for drainage system - minimum of ten (10) feet for piped runoff, minimum of twenty (20) feet for open ditches.
17. Dam breach zone shown if an existing or proposed permanent pond/lake is a part of the proposed subdivision.
18. Cul-de-sac grading detail for steep downhill cul-de-sacs.

Water Layout

1. Site plan with water layout only.
2. Pipe locations and sizes.
3. Location and size of gate valves, air release valves.
4. Thrust blocks at all bends and tees.
5. Location of all existing and proposed fire hydrants.

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6. Existing water main locations, sizes, and types of materials surrounding the project.
 7. Detail of tap to water main.
 8. Proposed meter sizes and locations.
 9. Nearest existing line valves on main, in order to isolate tap.
 10. Pressure flow-test results.
 11. If proposed water line crosses private property, a twenty foot (20) permanent easement is required.

Sewer Layout

1. EPD Sanitary Sewer Submittal Form filled out by registered engineer.
2. Site plan showing sewer layout.
3. Sewer layout should have manhole numbers, line designations, flow arrows, street names, and topography.
4. Sewer layout showing proposed storm drain crossings.
5. Detail tie-in of proposed lines with existing lines as to elevation and invert direction of manholes.
6. Profile of proposed sewer lines with:
7. Manhole numbers and locations.
8. Outside drop-manhole designated.
9. Percent grade, length, size of lines.
10. Lateral locations.
11. Materials to be used.
12. Location in profile of streams and storm drains.
13. Easements to be twenty (20) foot permanent and sixty (60) foot for temporary construction.
14. Easements for future sewers if required.
15. Bedding details.

Additional Requirements:

1. Preliminary plat submitted with construction plans.
2. Sidewalks.
3. Show location of all wells within one hundred (100) feet of property or certify that there are no wells, if lots are served by septic tank.
4. Names of all utility companies.
5. Erosion control plan.
6. Tree protection plan.
7. Show location of any landfills or debris or garbage disposal sites on the property.
8. Additional Notes Below:

Notes:

1. It is the developer's responsibility to address any wetland issues to the satisfaction of the U.S. Army Corps of Engineers.

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2. It is the developer's responsibility to abide by all the rules and regulations pertaining to the State of Georgia's National Pollutant Discharge Elimination System (NPDES) permit requirements.
 3. It is the developer's responsibility to abide by all the rules and regulations pertaining to the U.S. Fish and Wildlife Service if applicable.
 3. *Erosion and Sediment Control Plans.* A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity involving the disturbance of 1.0 acres or greater. Said plans are a part of the requirements for a Land Disturbance Permit as addressed in Section 700 of the City of Villa Rica Development Regulations. An approved copy of this plan must be provided to all departments as part of the construction plan review process.
 4. *Final Plat.* Plan of subdivision which conforms to the approved preliminary plat and the specifications required herein for recording at the Clerk of Superior Court. A plat review fee shall be required at the time of submittal. Prior to the submittal of the final plat for review, the following shall apply: 1.) All street and utility construction must be completed, inspected and approved; 2.) All property corner pins must be installed; 3.) As-built drawings must be submitted; and 4.) Bonding requirements, if applicable, satisfied. Six (6) copies of the final plat and as-built drawings shall be submitted to the Community Development office for distribution. Once the signatures of approval from the designated City Departments have been obtained on the final plat, the developer shall submit the plat to the Clerk of Superior Court of Carroll County and or Douglas County for recording. Upon recording of the final plat, the developer shall provide four (4) hard copies of the plat to the Community Development office. An electronic version of the final plat shall be provided in AutoCAD format to the Community Development office.

Information to be Provided.

The Final Plat shall contain the following information:

1. Sheet size no larger than 18" x 24".
2. Exact boundary lines of the tract by bearings and distances determined by a field survey.
3. Field survey error of closure not to exceed one to ten thousand.
4. Equipment used in field survey.
5. Calculated error of closure of plat.
6. Present zoning and zoning of abutting land.
7. Exact locations, R/W widths, and names of all streets that immediately adjoin the subdivision.
8. Appropriate data for all streets, lot lines, and centerlines as required by the city and according to the requirements of the State of Georgia for professional surveyors and engineers.
9. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
10. Lots shall be numbered consecutively; divisions shall be made by units or phases.
11. Each lot's area in square feet or acres.
12. Deed book and page number of protective covenants if any.
13. Accurate location, material, and description of all monuments and markers.
14. Location of sidewalks.
15. Location of all easements.
16. Required buffers and recreational areas (if any).

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17. Land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.
 18. All surveys and plats must be prepared by a state certified engineer and/or surveyor.
 19. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
 20. The following certificate statements shall be shown on the plat:

Owner's Certificate:

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state, city and county taxes or other assessments now due on this land have been paid, that all streets, water systems drains and drainage easements, and public places are dedicated to the use of the public forever.

_____	_____
Owner	Date

Surveyor's Certificate:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all monuments shown hereon actually exist or are marked "future" and their location, size, type and material are correctly shown, and that all requirements of the development and zoning regulations have been fully complied with.

_____	_____
Owner	Date

City of Villa Rica Certificate:

In accordance to the City of Villa Rica Development Regulations and the City's Zoning Ordinance, all requirements of approval have been fulfilled; this plat was given final approval by the following City personnel on behalf of the City of Villa Rica:

_____	_____
Community Development	Date
_____	_____
Community Development Director	Date
_____	_____
Mayor	Date

Covenants, if separately recorded:

This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby become a part of this plat, and which were recorded in plat book _____ Page.

21. Any and all other information as required by the city.

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22. Lots, lot areas and lot numbers are optional at the discretion of the developer. If lots are included, the exact boundaries shall be shown by bearing and distances as determined by a field survey, and corners shall be marked on the ground with appropriate permanent monumentation.
 23. Any and all other information as required by the City.

202.3 Commercial/Industrial Site Development Plans.

- A. For individual commercial or industrial sites not within a Commercial or Industrial Subdivision, only construction plans are designed and submitted for review for this type of development. Six (6) sets of plans shall be submitted to the Community Development office to be distributed to other City departments. A plan review fee shall be required at the time of submittal. Upon approval of the plans by individual departments, each department retains a copy of the approved stamped plans.
- B. For individual commercial or industrial sites within a Commercial or Industrial Subdivision Development, the same requirements as in A above may be submitted only after approval by the City and recording of the Final Plat for the development.

202.4 Plan Approval.

- A. Approval of construction plans shall expire ~~eighteen (18)~~ **twelve (12)** months from the date of approval without the issuance of a building permit from the City of Villa Rica.
- B. If a discrepancy occurs between the approved plans and the City's development standards, unless a variance or exception has been obtained, the Development Standards shall be the superseding document.

202.5 Plan Review Checklists. Checklists are included at the end of this section.

SECTION 1C

The City of Villa Rica Code of Ordinances, Appendix A – Developmental Regulations, Section 203 is hereby amended as follows:

203. Permits.

Permits may not be issued without a Utility Availability Statement as provided in Section 200.

203.1 Subdivisions. The Community Development office issues the following permits for the construction of a subdivision:

- A. *Land Disturbance Permit.* After the approval of the construction plans, this permit is issued for the implementation of erosion control measures as shown on the approved construction plans for projects as required under Section 700 of the City of Villa Rica Development Regulations.

203.2 Sites not involving the subdividing of land. The Department of Community Development issues the following two (2) permits for the construction of sites:

- A. *Land Disturbance Permit.* After the approval of the construction plans, this permit is issued for the implementation of erosion control measures as shown on the approved construction plans for all projects as required under Section 700 of the City of Villa Rica Development Regulations.
- B. *Building Permit.* This permit is issued for the construction of proposed buildings. The building permit is issued after the site construction plans are approved, the building architectural plans are approved, and the Land Disturbance Permit is issued (if applicable). Appropriate permit fees shall apply.

203.3 *Driveway Permits*. A review will be required of all new driveway cuts on public right-of-way for the purpose of ensuring the requirements of these Regulations are complied with and to determine if additional right-of-way improvements will be needed to be made by the property owner in order that the public right-of-way will accommodate the proposed vehicular use of said new driveway. When a building permit or land disturbance permit is required, the driveway permit will be incorporated into said permits and no additional fees will be required. When no other permits are required, a permit fee of fifty dollars (\$50.00) will be required.

203.4 *Pavement Cut Permit*. A permit will be required prior to any work being done involving the cutting of any existing public right-of-way pavement. Said permit will be issued by the City Public Works Department. (No permit fee is required).

204.3 *Notification*. The City shall be notified by the developer or his/her contractor before construction begins, and at the various stages in construction required by the City. The City shall be given a two (2) business days advance notice before construction begins. The appropriate department as outlined in Section 205 of these Regulations will be directly notified for an inspection request.

SECTION 1C.

The City of Villa Rica Code of Ordinances, Appendix A – Developmental Regulations, Section 212 is hereby amended as follows:

212. Standard Procedures for Project Development.

212.1 Standard Procedures for Project Development for Non-subdivision Developments.

1. Initial Concept Meeting with City Staff.
2. Water and sewer capacities must be checked, and capacities secured before moving forward.
[Applicant must present a Utility Availability Statement as provided in Section 200.](#)
3. Determine that no portion of the development is to be built on any solid waste landfill.
4. Meet with GDOT if access is required off GDOT R/W unto the project.
5. Application to re-zone property - include final concept plan.
 - a. Zoning applications must be reviewed by the Villa Rica Planning Commission and approved by a public hearing with the City Council. If Approved;
6. Construction Plan Submittal. The following reviews are required:
 - a. Zoning.
 - b. Fire Marshal.
 - c. Community Development—Architectural plans reviewed.
 - d. Civil Plan review performed by the City of Villa Rica designee.
 - e. Erosion and sediment Control review by Georgia soil and Water Conservation District in Athens, Georgia (GSWCC).
 - f. Ga EPD if gravity sewer extension is required to serve the site.
7. Pre-Construction Meeting required once all plans are approved.
 - a. Land Disturbance Permit fees and NPDES fees are required to be paid at the Pre-con meeting.

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8. Construction and Building inspections by City Staff as construction unfolds. City inspections are to be supervised by the City's designated Georgia registered engineer.
 9. Once the construction and inspection process are complete, a Certificate of Occupancy is issued. Project Complete.

212.2 Standard Procedures for Project Development for Residential/Commercial/Industrial Subdivision Developments.

1. Initial Concept Meeting with City Staff.
2. Water and sewer capacities must be checked, and capacities secured before moving forward. [Applicant must present a Utility Availability Statement as provided in Section 200.](#)
3. Determine that no portion of the development is to be built on any solid waste landfill.
4. Meet with GDOT if access is required off GDOT R/W unto the project.
5. Application to re-zone property—include final concept plan.
 - a. Zoning applications must be reviewed by the Villa Rica Planning Commission and approved by a public hearing with the City Council. If Approved.
6. Submit Preliminary Plat for Review (aka Final Concept Plan).
 - [a]. The plat must be approved by City Staff before moving forward.
7. Construction Plan Submittal. The following reviews are required:
 - a. Zoning.
 - b. Community Development—Architectural plans reviewed.
 - c. Civil Plan review performed by the City of Villa Rica designee.
 - d. Erosion and sediment Control review by Georgia soil and Water Conservation District in Athens, Georgia (GSWCC).
 - e. Ga EPD if gravity sewer extension is required to serve the site.
8. Pre-Construction Meeting required once all plans are approved.
 - a. Land Disturbance Permit fees and NPDES fees are required to be paid at the Pre-con meeting.
9. Construction and Building inspections by City Staff as construction unfolds. City inspections are to be supervised by the City's designated Georgia registered engineer.
10. Once the construction and inspection process are complete, Final Plat is submitted for review.
 - a. Final Plat is reviewed for content by City's designee.
 - b. Maintenance bond is calculated.
 - c. Street light fees are calculated.
 - d. Street sign fees are calculated.
 - e. Stormwater maintenance agreement submitted and recorded.
 - f. Water and Sewer as-built drawings are submitted for review.
11. Once all fees are paid and Maintenance bond submitted, Final Plat is taken to a public hearing with City Council for approval. Once approved by City Council, Final plat is recorded and building permits are issued.

SECTION 2

If any section, subsection, clause, phrase, or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect.

SECTION 3.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4.

This Ordinance shall become effective upon its adoption and approval by the Mayor and City Council.

SO ORDAINED, this ____ day of _____, 20_____.

By: _____
Leslie McPherson, Mayor

Attest:

Theresa Campbell
City Clerk

CITY OF VILLA RICA , STATE OF GEORGIA

ORDINANCE

AN ORDINANCE TO AMEND SECTIONS 200, 202, 203 AND 212 OF APPENDIX A – DEVELOPMENTAL REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF VILLA RICA, GEORGIA

WHEREAS, the City of Villa Rica is a municipal corporation duly chartered and incorporated in the State of Georgia; and

WHEREAS, the City Council determined a need to update their code of ordinances and after consideration of proposed changes and having duly noticing the proposed changes; and

NOW THEREFORE BE IT HEREBY ORDAINED by the City of Villa Rica Mayor and City Council as follows:

SECTION 1A.

The City of Villa Rica Code of Ordinances, Appendix A – Developmental Regulations, Section 200 is hereby amended as follows:

200. APPLICATION AND PLAN REVIEW GENERAL REQUIREMENTS

UTILITY AVAILABILITY STATEMENT.

- (A) The City shall not approve any applications for rezoning, annexation, special use permits, building permits, land disturbance permits or approve any new residential construction or any commercial development without a statement that adequate utility is available from the Utilities Director. Utility availability statements shall be valid for a period of one year from the date of its issuance and shall not be transferable.
- (B) Availability means that utility service is available to the property and that the service lines and facilities have adequate capacity to serve the development while still maintaining an appropriate level of service to the other users of the system. In making this determination, the city may consider both existing users and also users that have been approved for connection but have not yet done so. The Utilities Director may rely on qualified engineers and experts in making the determination of whether utility service is available and whether there is adequate capacity to serve for the proposed development.
 - (i.) Water capacity analysis is a process where every new development which will require connection of its potable water service to the city water system is reviewed to determine whether or not the new development will meet the minimum fire flow and pressure requirement of 20 psi at the highest occupied elevation under normal usage conditions or cause some other proximate user's pressure to drop below 20 psi under normal usage conditions. All proposed fire hydrants shall be capable of delivering 1,000 gallons per minute (gpm) in residential neighborhoods and 1,500 gpm in commercial areas or as otherwise determined by the county fire marshal based upon the type of development.
 - (a) The proposed water consumption flowrate(s) of the new development will be assumed to be equal to the average proposed sewage flows estimated per Georgia Manual for

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- On-site Sewage Management Systems Table JT-1 with an appropriate peaking factor based on diurnal variations.
- (b) The city's water system has been modeled with the use of a hydraulic modeling application. The proposed flowrates will be added to the model in order to calculate the residual pressure.
 - (c) If the new development's residual pressure does not meet the requirement of 20 psi at the highest occupied elevation under normal usage conditions, or, cannot meet the fire flow requirements set forth above, the analyzed water line will be assumed to be unsuitable for the new development. If the developer wants access, the developer may pay the city in an appropriate amount to upgrade to a new water line so as to provide adequate residual pressure.
- (ii) Sewer capacity analysis is a process where every new development which will require a connection of its sewer to the city's sewer system is reviewed to determine whether or not there is adequate capacity in the sewer system to convey the new sewage from proposed development to the WWTP.
- (a) The proposed flowrate(s) in gallons per day (gpd) of the new development will be calculated and peaked with a factor of 3. Sewage flows of new developments will be estimated per Georgia Manual for On-Site Sewage Management Systems Table JT-1.
 - (b) The existing flowrate(s) (gpd) and proposed flows that will flow into the same collection system as the new development will be calculated and peaked with a factor of 3. Existing flowrates will be estimated per Georgia Manual for On-Site Sewage Management Systems Table JT.
 - (c) The ratio between the sum of the peaked flowrates (proposed and existing) and the sewer line capacity will be analyzed to determine if 60 percent of the sewer line's capacity has been exceeded.
 - (d) If the new development's proposed flowrate does cause the projected flows in the sewer line to exceed the 60 percent capacity level, the sewer's capacity will be deemed inadequate for the new development.
 - (e) If the existing sewer does not have adequate capacity to convey the proposed flowrate, the developer may pay the amount to the city to upgrade the sewer so as to be able to provide adequate capacity.
- (C) City water and sewer service is provided to the residents and properties within the limits of Villa Rica service area for each as defined by the most recent Carroll County and Douglas County service delivery strategy agreements. New service of properties outside of the service area shall be allowed only with the express written consent of the city and the governing agency of the adjacent service delivery area.
- (D) In the event of a request for utility service at a location in which it has been determined that adequate service capacity is unavailable, the city may deny the issuance of any building or land disturbance permits or may condition new utility connections on the payment by the user or developer of the cost of new or improved infrastructure required to serve the development.
- (E) In the event that the Utility Director determines that a utility is not available, the applicant may appeal the decision to the City Council. The City Council shall consider whatever evidence from the applicant and shall consider either the testimony or report from the Utility Director, or his/her designee, or both.
- (F) The Utility Director may issue a conditional availability letter, subject to approval by Council, when adequate utility is not available if the applicant presents a development agreement to the Utility Director that will be beneficial to the City, with respect to improvements to the City's utility capacity and/or conveyance, and said

improvements will be paid for by the applicant or developer. A conditional availability letter must be approved by Council prior to the approval of any permits, rezonings or annexations.

200.1 Standard Operating Procedures for the project development process are included at the end of this section. (Section 212)

SECTION 1B.

The City of Villa Rica Code of Ordinances, Appendix A – Developmental Regulations, Section 202 is hereby amended as follows:

202. Plan Review Procedure.

Plan review procedures are dependent on the type of the proposed development. Plans may not be reviewed without a Utility Availability Statement as provided in Section 200. There are three types of developments as follows:

- A. Subdivision developments (residential, commercial, and industrial) involving the subdividing of a tract or parcel of land into two (2) lots or building sites:
- B. Subdivision developments (residential, commercial, and industrial) involving the subdividing of a tract or parcel of land into three (3) or more lots or building sites; and
- C. Non-subdivision commercial/industrial developments.

202.1 Stages of Residential Subdivision Development Plans Review:

Scope:

Plan design, submittal, and review is divided into 4 stages which correspond to the following 4 types of plans:

1. *Preliminary Plat.* Conceptual street and lot layout of subdivision with topography of not more than two (2) foot intervals. A plat review fee shall be required at the time of submittal. No less than twenty (20) working days prior to the next regular meeting of the planning commission, a letter addressed to the planning commission requesting review and approval of a preliminary plat shall be given to the Community Development office along with six (6) copies of the plat for distribution. Upon approval of the plat by individual departments, six (6) copies of the approved plat stamped by each department shall be submitted to the Community Development office to be distributed to the City of Villa Rica Planning Commission for approval. Approval of a preliminary plat shall expire and be null and void after a period of 24 months from the date of approval unless an extension of time is approved by the Planning Commission. (A preliminary plat shall not be required of subdivisions on an existing street involving only two (2) lots or building sites.

Information to be Provided.

Preliminary subdivision plats shall contain the following information:

1. Subdivision Name.
2. Name, address and 24-hour phone number of developer.
3. Date including most recent revision date.
4. Graphic scale (not to exceed 1" = 100')
5. Location Index map (approximate scale 1" = 6000')
6. North arrow.

7. Land lot, District and Section.
8. Maximum sheet size 24" x 36" unless otherwise approved.
9. Exact boundary lines of the entire tract indicated by a heavy line giving lengths and bearings.
10. Present zoning and zoning of abutting land.
11. Proposed street and lot layout.
12. Proposed street names.
13. Lot lines with approximate dimensions.
14. Location of bold lines for phased developments.
15. Lots numbered consecutively disregarding phasing.
16. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
17. Existing streets, utilities, and easements on and adjacent to the tract.
18. Provisions for water supply, sewerage, and drainage.
19. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
20. Minimum building front yard setback line shown graphically on the plat.
21. Surveyors and/or Engineer's Stamp.
22. Signature Statement for planning commission. Statement shall read as follows:

Preliminary Plat Approval Certificate

All requirements of the City of Villa Rica Development Regulations relative to the preparation and submission of a Preliminary Plat having been fulfilled, approval of this plat is hereby granted subject to further provisions of said Regulations. This certificate is effective for 24 months from the date of signing unless a Final Plat is recorded.

Planning Commission Chairman	Date	City Clerk	Date

23. Any and all other information as may be required by the City.
 24. Names of owners of record of adjoining properties.
2. *Construction Plans.* Detailed design plans of proposed subdivision infrastructure improvements. Six (6) sets of the construction plans shall be submitted to the Community Development office for distribution. A plan review fee shall be required at the time of submittal. Upon approval of the plans, a stamped approved copy shall be given to each department and the developer sets up a pre-construction conference with the contractor(s) and the City departments mentioned herein. If any construction activity involves a state right-of-way, the developer must first contact Public Works and obtain Georgia D.O.T. approval before construction plans can be approved by the city.

Information to be Provided.

Construction Plans shall contain the following information:

Road Design

-
1. Acceleration/deceleration lanes at entrance.
 2. Typical road section for all roads.
 3. Dimensions of turn radii.
 4. Plan and profile of existing city or county road at proposed entrance with the City of Villa Rica's minimum horizontal and vertical stopping sight distance requirements satisfied. The speed limit for the existing city or county road shall be shown.
 5. If additional right-of-way is required to bring the City Road up to minimum standards, as shown on the current City Street Classification Map, the future right-of-way shall be shown on the plan. Set backs shall be measured from the future right-of-way.
 6. Proposed street profiles for all new streets.
 7. Proposed street grades.
 8. Proposed length of vertical curves.
 9. Vertical stopping sight distance at all proposed internal subdivision intersections.
 10. Street horizontal curve radii.
 11. All radii, curb set back and taper details.
 12. Typical construction details (curb and gutter, paving, etc.)
 13. Street signs.

Storm Drainage

1. Topographic layout of development at two (2) foot contour intervals based on mean sea level datum with storm drain layout.
2. Location, size, and length of existing drainage structures with drainage area.
3. Description by registered engineer of downstream property showing the method of runoff control will not adversely affect the property downstream.
4. Location, size, length, and type of all proposed drainage structures.
5. Drainage area to each inlet point of the drainage system.
6. Ditch profiles.
7. Ditch cross-sections every (50) feet with velocity of runoff (no more than 5.0 fps without lining the ditch.)
8. Hydrology study by a state approved professional for detention ponds, if required.
9. The 100-year floodplain/Future Conditions floodplain limits and elevation or note absence.
10. Profile of storm drainage pipes.
11. All cross-drain pipes shown on the street profiles.
12. Water travel distance between catch basins.
13. Drainage at intersections indicated by flow arrows on plan sheet.
14. All drainage structure outlets to be erosion proofed.
15. Method of sizing all storm drainage structures.
16. Easements for drainage system - minimum of ten (10) feet for piped runoff, minimum of twenty (20) feet for open ditches.

-
17. Dam breach zone shown if an existing or proposed permanent pond/lake is a part of the proposed subdivision.
 18. Cul-de-sac grading detail for steep downhill cul-de-sacs.

Water Layout

1. Site plan with water layout only.
2. Pipe locations and sizes
3. Location and size of gate valves & air release valves.
4. Thrust blocks at all bends and tees.
5. Location of all existing and proposed fire hydrants.
6. Existing water main locations, sizes, and types of materials surrounding the project.
7. Detail of tap to water main.
8. Proposed meter sizes and locations.
9. Nearest existing line valves on main, in order to isolate tap.
10. Pressure flow-test results.
11. If proposed water line crosses private property, a twenty foot (20) permanent easement is required.

Sewer Layout

1. EPD Sanitary Sewer Submittal Form filled out by registered engineer.
2. Site plan showing sewer layout.
3. Sewer layout should have manhole numbers, line designations, flow arrows, street names, and topography.
4. Sewer layout showing proposed storm drain crossings.
5. Detail tie-in of proposed lines with existing lines as to elevation and invert direction of manholes.
6. Profile of proposed sewer lines.
7. Manhole numbers and locations.
8. Outside drop-manhole designated.
9. Percent grade, length, size of lines.
10. Lateral locations.
11. Materials to be used.
12. Location in profile of streams and storm drains.
13. Easements to be twenty (20) foot permanent and sixty (60) foot for temporary construction.
14. Easements for future sewers if required.
15. Bedding details.

Additional Requirements:

1. Preliminary plat submitted with construction plans.
2. Sidewalks.

-
3. Show location of all wells within one hundred (100) feet of property or certify that there are no wells, if lots are served by septic tank.
 4. Names of all utility companies.
 5. Erosion control plan.
 6. Tree protection plan.
 7. Show location of any landfills or debris or garbage disposal sites on the property.
 8. Additional Notes Below:
Notes:
 1. It is the developer's responsibility to address any wetland issues to the satisfaction of the U.S. Army Corps of Engineers.
 2. It is the developer's responsibility to abide by all the rules and regulations pertaining to the State of Georgia's National Pollutant Discharge Elimination System (NPDES) permit requirements.
 3. It is the developer's responsibility to abide by all the rules and regulations pertaining to the U.S. Fish and Wildlife Service if applicable.
3. *Erosion and Sediment Control Plans.* A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity involving the disturbance of 1.0 acres or greater. Said plans are a part of the requirements for a Land Disturbance Permit as addressed in Section 700 of the City of Villa Rica Development Regulations. An approved copy of this plan must be provided to all departments as part of the construction plan review process.
4. *Final Plat.* Plan of subdivision which conforms to the approved preliminary plat and the specifications required herein for recording at the Clerk of Superior Court. A plat review fee shall be required at the time of submittal. Prior to the submittal of the final plat for review, the following shall apply: 1.) All street and utility construction must be completed, inspected and approved; 2.) All property corner pins must be installed; 3.) As-built drawings must be submitted; and 4.) Bonding requirements, if applicable, satisfied. Six (6) copies of the final plat and as-built drawings shall be submitted to the Community Development office for distribution. Once the signatures of approval from the designated City Departments have been obtained on the final plat, the developer shall submit the plat to the Clerk of Superior Court of Carroll County and/or Douglas County for recording. Upon recording of the final plat, the developer shall provide four (4) hard copies of the plat to the Community Development office. An electronic version of the final plat shall be provided in AutoCAD format to the Community Development office.

The Final Plat shall contain the following information:

1. Sheet size no larger than 18" x 24".
2. Exact boundary lines of the tract by bearings and distances determined by a field survey.
3. Field survey error of closure not to exceed one to ten thousand.
4. Equipment used in field survey.
5. Calculated error of closure of plat.
6. Present zoning and zoning of abutting land.
7. Exact locations, R/W widths, and names of all streets that immediately adjoin the subdivision.
8. Appropriate data for all streets, lot lines, and centerlines as required by the city and according to the requirements of the State of Georgia for professional surveyors and engineers.

9. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning. All zoning stipulations, if any, must also be on the plat.
10. Lots shall be numbered consecutively; divisions shall be made by units or phases.
11. Each lot's area in square feet or acres.
12. Deed book and page number of protective covenants if any.
13. Accurate location, material, and description of all monuments and markers.
14. Location of sidewalks.
15. Show all Storm lines on plat.
16. Location of all easements.
17. Required buffers and recreational areas (if any).
18. Land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.
19. All surveys and plats must be prepared by a state certified engineer and/or surveyor.
20. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
21. The following certificate statements shall be shown on the plat:

Owner's Certificate:

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state, city and county taxes or other assessments now due on this land have been paid, that all streets, water systems drains and drainage easements, and public places are dedicated to the use of the public forever.

_____	_____
Owner	Date

Surveyor's Certificate:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all monuments shown hereon actually exist or are marked "future" and their location, size, type and material are correctly shown, and that all requirements of the development and zoning regulations have been fully complied with.

_____	_____
Owner	Date

City of Villa Rica Certificate:

In accordance to the City of Villa Rica Development Regulations and the City's Zoning Ordinance, all requirements of approval have been fulfilled; this plat was given final approval by the following City officials and personnel and on behalf of the City of Villa Rica:

_____	_____
_____	_____
_____	_____

Community Development Director	Date
Mayor	Date

Covenants, if separately recorded:

This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby become a part of this plat, and which were recorded in plat book _____ Page _____.

[22]. Any and all other information as required by the city.

202.2 Stages of Commercial/Industrial Subdivision Plan Reviews.

Scope:

Plan design, submittal, and review is divided into 4 stages which corresponds to the following 4 types of plans:

1. *Preliminary Plat.* Conceptual street and lot layout of subdivision with topography of not more than two (2) foot intervals. A plat review fee shall be required at the time of submittal. No less than twenty (20) working days prior to the next regular meeting of the planning commission, a letter addressed to the planning commission requesting review and approval of a preliminary plat shall be given to the Community Development office along with six (6) copies of the plat for distribution. Upon approval of the plat by individual departments, six (6) copies of the approved plat stamped by each department shall be submitted to the Community Development office to be distributed to the City of Villa Rica Planning Department for approval. Approval of a preliminary plat shall expire and be null and void after a period of 24 months from the date of approval unless an extension of time is approved by the Planning Commission. (A preliminary plat shall not be required of subdivisions on an existing street involving only two (2) lots or building sites.

Information to be Provided.

Preliminary subdivision plats shall contain the following information:

1. Subdivision Name.
2. Name, address and 24-hour phone number of developer.
3. Date including most recent revision date.
4. Graphic scale (not to exceed 1" = 100').
5. Location Index map (approximate scale 1" = 6,000').
6. North arrow.
7. Land lot, District and Section.
8. Maximum sheet size 24" x 36" unless otherwise approved.
9. Exact boundary lines of the entire tract indicated by a heavy line giving lengths and bearings.
10. Present zoning and zoning of abutting land.
11. Proposed street and lot layout.
12. Proposed street names.
13. Lot lines with approximate dimensions.
14. Location of bold lines for phased developments.

15. Lots numbered consecutively disregarding phasing.
16. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
- [17]. Existing streets, utilities, and easements on and adjacent to the tract.
- [18]. Provisions for water supply, sewerage, and drainage.
- [19]. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
20. Minimum building front yard setback line shown graphically on the plat.
21. Surveyors and/or Engineer's Stamp.
22. Signature Statement for Planning Commission. Statement shall read as follows:

Preliminary Plat Approval Certificate

All requirements of the City of Villa Rica Development Regulations relative to the preparation and submission of a Preliminary Plat having been fulfilled, approval of this plat is hereby granted subject to further provisions of said Regulations. This certificate is effective for 24 months from the date of signing unless a Final Plat is recorded.

Community Development	Date	City Clerk	Date

23. Any and all other information as may be required by the City.
 24. Names of owners of record of adjoining properties.
2. *Construction Plans.* Detailed design plans of proposed subdivision infrastructure improvements. Six (6) sets of the construction plans shall be submitted to the Community Development office for distribution. A plan review fee shall be required at the time of submittal. Upon approval of the plans, a stamped approved copy shall be given to each department and the developer sets up a pre-construction conference with the contractor(s) and the City departments mentioned herein. If any construction activity involves a state right-of-way, the developer must first contact Public Works and obtain Georgia D.O.T. approval before construction plans can be approved by the city.

Information to be Provided.

Construction Plans shall contain the following information:

Road Design

1. Acceleration/deceleration lanes at entrance.
2. Typical road section for all roads.
3. Dimensions of turn radii.
4. Plan and profile of existing city or county road at proposed entrance with the City of Villa Rica's minimum horizontal and vertical stopping sight distance requirements satisfied. The speed limit for the existing city or county road shall be shown.
5. If additional right-of-way is required to bring the City Road up to minimum standards, as shown on the current City Street Classification Map, the future right-of-way shall be shown on the plan. Setbacks shall be measured from the future right-of-way.
6. Proposed street profiles for all new streets.

-
7. Proposed street grades.
 8. Proposed length of vertical curves.
 9. Vertical stopping sight distance at all proposed internal subdivision intersections.
 10. Street Horizontal curve radii.
 11. All radii, curb set back and taper details.
 12. Typical construction details (curb and gutter, paving, etc.)
 13. Street signs.

Storm Drainage

1. Topographic layout of development at two (2) foot contour intervals based on mean sea level datum with storm drain layout.
2. Location, size, and length of existing drainage structures with drainage area.
3. Description by registered engineer of downstream property showing the method of runoff control will not adversely affect the property downstream.
4. Location, size, length, and type of all proposed drainage structures.
5. Drainage area to each inlet point of the drainage system.
6. Ditch profiles.
7. Ditch cross-sections every (50) feet with velocity of runoff (no more than 5.0 fps without lining the ditch).
8. Hydrology study by a state approved professional for detention ponds, if required.
9. The 100-year floodplain and Future Condition floodplain limits and elevation or note absence.
10. Profile of storm drainage pipes.
11. All cross-drain pipes shown on the street profiles.
12. Water travel distance between catch basins.
13. Drainage at intersections indicated by flow arrows on plan sheet.
14. All drainage structure outlets to be erosion proofed.
15. Method of sizing all storm drainage structures.
16. Easements for drainage system - minimum of ten (10) feet for piped runoff, minimum of twenty (20) feet for open ditches.
17. Dam breach zone shown if an existing or proposed permanent pond/lake is a part of the proposed subdivision.
18. Cul-de-sac grading detail for steep downhill cul-de-sacs.

Water Layout

1. Site plan with water layout only.
2. Pipe locations and sizes.
3. Location and size of gate valves, air release valves.
4. Thrust blocks at all bends and tees.
5. Location of all existing and proposed fire hydrants.

-
6. Existing water main locations, sizes, and types of materials surrounding the project.
 7. Detail of tap to water main.
 8. Proposed meter sizes and locations.
 9. Nearest existing line valves on main, in order to isolate tap.
 10. Pressure flow-test results.
 11. If proposed water line crosses private property, a twenty foot (20) permanent easement is required.

Sewer Layout

1. EPD Sanitary Sewer Submittal Form filled out by registered engineer.
2. Site plan showing sewer layout.
3. Sewer layout should have manhole numbers, line designations, flow arrows, street names, and topography.
4. Sewer layout showing proposed storm drain crossings.
5. Detail tie-in of proposed lines with existing lines as to elevation and invert direction of manholes.
6. Profile of proposed sewer lines with:
7. Manhole numbers and locations.
8. Outside drop-manhole designated.
9. Percent grade, length, size of lines.
10. Lateral locations.
11. Materials to be used.
12. Location in profile of streams and storm drains.
13. Easements to be twenty (20) foot permanent and sixty (60) foot for temporary construction.
14. Easements for future sewers if required.
15. Bedding details.

Additional Requirements:

1. Preliminary plat submitted with construction plans.
2. Sidewalks.
3. Show location of all wells within one hundred (100) feet of property or certify that there are no wells, if lots are served by septic tank.
4. Names of all utility companies.
5. Erosion control plan.
6. Tree protection plan.
7. Show location of any landfills or debris or garbage disposal sites on the property.
8. Additional Notes Below:

Notes:

1. It is the developer's responsibility to address any wetland issues to the satisfaction of the U.S. Army Corps of Engineers.

-
2. It is the developer's responsibility to abide by all the rules and regulations pertaining to the State of Georgia's National Pollutant Discharge Elimination System (NPDES) permit requirements.
 3. It is the developer's responsibility to abide by all the rules and regulations pertaining to the U.S. Fish and Wildlife Service if applicable.
 3. *Erosion and Sediment Control Plans.* A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity involving the disturbance of 1.0 acres or greater. Said plans are a part of the requirements for a Land Disturbance Permit as addressed in Section 700 of the City of Villa Rica Development Regulations. An approved copy of this plan must be provided to all departments as part of the construction plan review process.
 4. *Final Plat.* Plan of subdivision which conforms to the approved preliminary plat and the specifications required herein for recording at the Clerk of Superior Court. A plat review fee shall be required at the time of submittal. Prior to the submittal of the final plat for review, the following shall apply: 1.) All street and utility construction must be completed, inspected and approved; 2.) All property corner pins must be installed; 3.) As-built drawings must be submitted; and 4.) Bonding requirements, if applicable, satisfied. Six (6) copies of the final plat and as-built drawings shall be submitted to the Community Development office for distribution. Once the signatures of approval from the designated City Departments have been obtained on the final plat, the developer shall submit the plat to the Clerk of Superior Court of Carroll County and or Douglas County for recording. Upon recording of the final plat, the developer shall provide four (4) hard copies of the plat to the Community Development office. An electronic version of the final plat shall be provided in AutoCAD format to the Community Development office.

Information to be Provided.

The Final Plat shall contain the following information:

1. Sheet size no larger than 18" x 24".
2. Exact boundary lines of the tract by bearings and distances determined by a field survey.
3. Field survey error of closure not to exceed one to ten thousand.
4. Equipment used in field survey.
5. Calculated error of closure of plat.
6. Present zoning and zoning of abutting land.
7. Exact locations, R/W widths, and names of all streets that immediately adjoin the subdivision.
8. Appropriate data for all streets, lot lines, and centerlines as required by the city and according to the requirements of the State of Georgia for professional surveyors and engineers.
9. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
10. Lots shall be numbered consecutively; divisions shall be made by units or phases.
11. Each lot's area in square feet or acres.
12. Deed book and page number of protective covenants if any.
13. Accurate location, material, and description of all monuments and markers.
14. Location of sidewalks.
15. Location of all easements.
16. Required buffers and recreational areas (if any).

17. Land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.
18. All surveys and plats must be prepared by a state certified engineer and/or surveyor.
19. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
20. The following certificate statements shall be shown on the plat:

Owner's Certificate:

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state, city and county taxes or other assessments now due on this land have been paid, that all streets, water systems drains and drainage easements, and public places are dedicated to the use of the public forever.

_____	_____
Owner	Date

Surveyor's Certificate:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all monuments shown hereon actually exist or are marked "future" and their location, size, type and material are correctly shown, and that all requirements of the development and zoning regulations have been fully complied with.

_____	_____
Owner	Date

City of Villa Rica Certificate:

In accordance to the City of Villa Rica Development Regulations and the City's Zoning Ordinance, all requirements of approval have been fulfilled; this plat was given final approval by the following City personnel on behalf of the City of Villa Rica:

_____	_____
Community Development	Date
_____	_____
Community Development Director	Date
_____	_____
Mayor	Date

Covenants, if separately recorded:

This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby become a part of this plat, and which were recorded in plat book _____ Page.

21. Any and all other information as required by the city.

-
22. Lots, lot areas and lot numbers are optional at the discretion of the developer. If lots are included, the exact boundaries shall be shown by bearing and distances as determined by a field survey, and corners shall be marked on the ground with appropriate permanent monumentation.
 23. Any and all other information as required by the City.

202.3 Commercial/Industrial Site Development Plans.

- A. For individual commercial or industrial sites not within a Commercial or Industrial Subdivision, only construction plans are designed and submitted for review for this type of development. Six (6) sets of plans shall be submitted to the Community Development office to be distributed to other City departments. A plan review fee shall be required at the time of submittal. Upon approval of the plans by individual departments, each department retains a copy of the approved stamped plans.
- B. For individual commercial or industrial sites within a Commercial or Industrial Subdivision Development, the same requirements as in A above may be submitted only after approval by the City and recording of the Final Plat for the development.

202.4 Plan Approval.

- A. Approval of construction plans shall expire twelve (12) months from the date of approval without the issuance of a building permit from the City of Villa Rica.
- B. If a discrepancy occurs between the approved plans and the City's development standards, unless a variance or exception has been obtained, the Development Standards shall be the superseding document.

202.5 Plan Review Checklists. Checklists are included at the end of this section.

SECTION 1C

**The City of Villa Rica Code of Ordinances, Appendix A – Developmental Regulations,
Section 203 is hereby amended as follows:**

203. Permits.

Permits may not be issued without a Utility Availability Statement as provided in Section 200.

203.1 Subdivisions. The Community Development office issues the following permits for the construction of a subdivision:

- A. *Land Disturbance Permit.* After the approval of the construction plans, this permit is issued for the implementation of erosion control measures as shown on the approved construction plans for projects as required under Section 700 of the City of Villa Rica Development Regulations.

203.2 Sites not involving the subdividing of land. The Department of Community Development issues the following two (2) permits for the construction of sites:

- A. *Land Disturbance Permit.* After the approval of the construction plans, this permit is issued for the implementation of erosion control measures as shown on the approved construction plans for all projects as required under Section 700 of the City of Villa Rica Development Regulations.
- B. *Building Permit.* This permit is issued for the construction of proposed buildings. The building permit is issued after the site construction plans are approved, the building architectural plans are approved, and the Land Disturbance Permit is issued (if applicable). Appropriate permit fees shall apply.

203.3 *Driveway Permits*. A review will be required of all new driveway cuts on public right-of-way for the purpose of ensuring the requirements of these Regulations are complied with and to determine if additional right-of-way improvements will be needed to be made by the property owner in order that the public right-of-way will accommodate the proposed vehicular use of said new driveway. When a building permit or land disturbance permit is required, the driveway permit will be incorporated into said permits and no additional fees will be required. When no other permits are required, a permit fee of fifty dollars (\$50.00) will be required.

203.4 *Pavement Cut Permit*. A permit will be required prior to any work being done involving the cutting of any existing public right-of-way pavement. Said permit will be issued by the City Public Works Department. (No permit fee is required).

204.3 *Notification*. The City shall be notified by the developer or his/her contractor before construction begins, and at the various stages in construction required by the City. The City shall be given a two (2) business days advance notice before construction begins. The appropriate department as outlined in Section 205 of these Regulations will be directly notified for an inspection request.

SECTION 1C.

The City of Villa Rica Code of Ordinances, Appendix A – Developmental Regulations, Section 212 is hereby amended as follows:

212. Standard Procedures for Project Development.

212.1 Standard Procedures for Project Development for Non-subdivision Developments.

1. Initial Concept Meeting with City Staff.
2. Water and sewer capacities must be checked, and capacities secured before moving forward. Applicant must present a Utility Availability Statement as provided in Section 200.
3. Determine that no portion of the development is to be built on any solid waste landfill.
4. Meet with GDOT if access is required off GDOT R/W unto the project.
5. Application to re-zone property - include final concept plan.
 - a. Zoning applications must be reviewed by the Villa Rica Planning Commission and approved by a public hearing with the City Council. If Approved;
6. Construction Plan Submittal. The following reviews are required:
 - a. Zoning.
 - b. Fire Marshal.
 - c. Community Development—Architectural plans reviewed.
 - d. Civil Plan review performed by the City of Villa Rica designee.
 - e. Erosion and sediment Control review by Georgia soil and Water Conservation District in Athens, Georgia (GSWCC).
 - f. Ga EPD if gravity sewer extension is required to serve the site.
7. Pre-Construction Meeting required once all plans are approved.
 - a. Land Disturbance Permit fees and NPDES fees are required to be paid at the Pre-con meeting.

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8. Construction and Building inspections by City Staff as construction unfolds. City inspections are to be supervised by the City's designated Georgia registered engineer.
 9. Once the construction and inspection process are complete, a Certificate of Occupancy is issued. Project Complete.

212.2 Standard Procedures for Project Development for Residential/Commercial/Industrial Subdivision Developments.

1. Initial Concept Meeting with City Staff.
2. Water and sewer capacities must be checked, and capacities secured before moving forward. Applicant must present a Utility Availability Statement as provided in Section 200.
3. Determine that no portion of the development is to be built on any solid waste landfill.
4. Meet with GDOT if access is required off GDOT R/W unto the project.
5. Application to re-zone property—include final concept plan.
 - a. Zoning applications must be reviewed by the Villa Rica Planning Commission and approved by a public hearing with the City Council. If Approved.
6. Submit Preliminary Plat for Review (aka Final Concept Plan).
 - [a]. The plat must be approved by City Staff before moving forward.
7. Construction Plan Submittal. The following reviews are required:
 - a. Zoning.
 - b. Community Development—Architectural plans reviewed.
 - c. Civil Plan review performed by the City of Villa Rica designee.
 - d. Erosion and sediment Control review by Georgia soil and Water Conservation District in Athens, Georgia (GSWCC).
 - e. Ga EPD if gravity sewer extension is required to serve the site.
8. Pre-Construction Meeting required once all plans are approved.
 - a. Land Disturbance Permit fees and NPDES fees are required to be paid at the Pre-con meeting.
9. Construction and Building inspections by City Staff as construction unfolds. City inspections are to be supervised by the City's designated Georgia registered engineer.
10. Once the construction and inspection process are complete, Final Plat is submitted for review.
 - a. Final Plat is reviewed for content by City's designee.
 - b. Maintenance bond is calculated.
 - c. Street light fees are calculated.
 - d. Street sign fees are calculated.
 - e. Stormwater maintenance agreement submitted and recorded.
 - f. Water and Sewer as-built drawings are submitted for review.
11. Once all fees are paid and Maintenance bond submitted, Final Plat is taken to a public hearing with City Council for approval. Once approved by City Council, Final plat is recorded and building permits are issued.

SECTION 2

If any section, subsection, clause, phrase, or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect.

SECTION 3.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4.

This Ordinance shall become effective upon its adoption and approval by the Mayor and City Council.

SO ORDAINED, this ____ day of _____, 20_____.

By: _____
Leslie McPherson, Mayor

Attest:

Theresa Campbell
City Clerk



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Changes to 457(b) Retirement Plan Document

AGENDA DATE: May 6, 2025

DATE PREPARED: May 2, 2025

PREPARED BY: Tiffany Lanford, HR Director

AMOUNT:

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM? Yes

PURPOSE:

To seek approval from the City Council to make changes to our plan document for the City's 457(b) retirement plan.

BACKGROUND:

The City's 457(b) plan is being transferred to Empower Retirement. This is the optimal time to make changes to the plan to ensure that the plan is relevant and modernized at little to no cost to the City or employees.

Empower is going to offer employees more hands-on experience when it comes to saving and investing money for their future as well as more financial guidance.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve these changes so Empower can write up the new plan document.

MOTION:

I move to approve the changes to the following sections, Contribution Types, Excluded Employees, Matching Formula, Vesting, Forfeitures, Trustee, Loans, and In-Plan Roth Options, to the City's 457(b) retirement plan document and authorize the City Manager to sign the plan document once legal has approved it.

Contribution Types					
Roth		Not Allowed			Elective deferrals Roth allowed
Excluded Employees					
Part-time Employees		Excluded if less than 30 hours per week.			Part-Time Employees eligible to contribute and will not receive the match
Matching Formula					
Matching formula		Discretionary			Match now defined - Employer will match 100% of deferrals not to exceed 3% of pay period compensation
Matching maximum		Discretionary			Match now defined - Not to exceed 3% of pay period compensation
Vesting					
Vesting Schedule		Immediate			5 yr graded 20, 40, 60, 80, 100% applied only to new hires calculated using elepsed time method
Forfeitures					
Uses of Forfeiture Balance		N/A			Used to reduce employer contributions and / or pay plan expenses
TRUSTEE					
Trustee Designation		Tom Barber/City Manager			Empower will be custodian only
LOANS					
Loan availability		Not Allowed			Loans Allowed
In-Plan Roth Options					
In-Plan Roth Rollover		Not Allowed (No Roth in Plan)			In Plan Rollover / Transfers will be allowed effective with restatement
In-Plan Roth Transfers		Not Allowed (No Roth in Plan)			In Plan Rollover / Transfers will be allowed effective with restatement



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Facility Rental Fee Increase

AGENDA DATE: May 6, 2025

DATE PREPARED: April 29, 2025

PREPARED BY: Tara Ivey, Deputy Director

AMOUNT: N/A

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM? N/A

PURPOSE: The Parks & Recreation Department is requesting your approval for an increase in our facility fees.

BACKGROUND: Over the past several years, demand for facility rentals has steadily increased, placing additional strain on our existing staff and resources. Despite rising operational costs—such as maintenance, utilities, and administrative support—our rental fees have remained largely unchanged.

STAFF RECOMMENDATION: We recommend that the Council approve an increase in rental facility fees, effective July 1, 2025, with the additional revenue allocated to help offset the cost of hiring one part-time staff member dedicated to facility operations.

IMPACT:

Financial Sustainability

- The fee increase will generate additional revenue to better align with the true costs of facility operation and maintenance.
- It will reduce reliance on general fund subsidies and ensure that users contribute fairly to the upkeep of the facilities they utilize.

Staffing and Service Improvement

- Funds will support the hiring of a Facility Coordinator, improving scheduling efficiency, customer service, and day-to-day operations.
- Enhanced staffing will allow for better responsiveness to maintenance needs, event coordination, and enforcement of facility use policies.

MOTION: I move to approve an increase in facility rental fees, effective **July 1, 2025**, to support rising operational costs and fund a Facility Coordinator position necessary for maintaining service quality and meeting increased facility demand.

Facility Rate Proposal

Facility	Rate Type	Current Rate	Proposed Rate	Security Deposit Required
Powell Park	Daily	\$150.00	\$300.00	Yes
V-Plex Civic Center	Daily	\$300.00	\$450.00	Yes
Venue on N. Avenue	Daily	\$300.00	\$500.00	Yes
Gold Dust Gymnasium	Per Court, Daily	\$300.00	\$300.00	Yes
Gold Dust Gymnasium	Per Hour	\$30.00	\$35.00	Yes
Downtown Gymnasium	Hourly	\$30.00	\$35.00	Yes
Downtown Gymnasium	Daily	\$300.00	\$300.00	Yes
Field Rental (Daily, includes staff)	Daily	\$150.00	\$200.00	Yes
Field Rental	Hourly	\$25.00	\$25.00	Yes
Pavilions	Hourly (min. 2 hrs)	\$15.00	\$15.00	No
Splash Pad Admission	Per Person	\$2.00	\$2.00	No
Splash Pad Private Rental	2-Hour Evening	\$150.00	\$150.00	No
Football Field	Daily	\$300.00	\$300.00	Yes



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Library Advisory Board Constitution & Bylaws Changes
AGENDA DATE: May 13, 2025

DATE PREPARED: April 29, 2025
PREPARED BY: Rachel Linn, Library Manager

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

PURPOSE: To make some minor housekeeping changes to the Library Advisory Board's Constitution & Bylaws

BACKGROUND: The Constitution & Bylaws were last updated in 2018. Therefore, the Board decided to review and make some minor changes. The Board reviewed those changes over several sessions, then voted unanimously to adopt them.

Both the original constitution and the proposed constitution are included in the packet. The alterations are highlighted in green on the drafted version. Those changes are:

- The addition of Article I, Section 6: "A former trustee who previously served their full terms to their limits can reapply for a board position after one year."
- An addition to Article III, Section 5: "Members should contact the board's designated contact person if they are unable to attend a meeting whenever possible."

STAFF RECOMMENDATION: Staff recommends adopting the changes listed above.

IMPACT: These housekeeping changes will help board members better align with one another's expectations on processes and future board appointments.

MOTION: I move to adopt the changes to the Library Advisory Board's Constitution & Bylaws that the Library Advisory Board has internally approved.

CONSTITUTION Of Villa Rica Public Library Advisory Board

A member of the West Georgia Regional Library System

ARTICLE I Name and Location

The name of this organization is the Villa Rica Public Library Advisory Board. Its permanent location is Villa Rica, Georgia.

ARTICLE II Purpose

The purpose of the Villa Rica Public Library Advisory Board is to function as advisors and advocates for the library and to participate in defining the library's role of service to the community.

ARTICLE III Governing Authority

Section 1. The Villa Rica Public Library Advisory Board shall be an Advisory Board of Trustees and shall be comprised of seven members. The members shall be appointed as set forth in the Bylaws. Periods of appointment shall be designated as set out in the Bylaws.

Section 2. Vacancies occurring among members shall be filled by appointment as set forth in the Bylaws.

Section 3. Removal. Board members shall be removed for cause or for failure to attend regularly scheduled meetings as set in the Bylaws.

ARTICLE IV Officers of the Board

Section 1. Officers of the Advisory Board shall be a Chairman, a Vice-Chairman, and a Secretary.

Section 2. The officers shall be elected at the last meeting of the calendar year to service for a period of one year. They may be reelected by vote of the Advisory Board for a maximum of two consecutive terms.

ARTICLE V Amendments

The constitution may be amended at any regular Board meeting that has a quorum present with two-thirds majority approval, provided that the proposed amendment was disseminated in writing to the members at least ten days before the meeting.

BYLAWS Of Villa Rica Public Library Advisory Board A member of the West Georgia Regional Library System

ARTICLE 1 Membership

Section 1. Members of the Advisory Board shall be appointed by the City Council of Villa Rica for terms of three years.

Section 2. Members of the Advisory Board may be appointed for a maximum of three consecutive terms.

Section 3. Vacancies occurring among Board members shall be filled by the City Council of Villa Rica.

Section 4. The Library Manager of the Villa Rica Public Library or his/her designee shall attend each meeting of the Board and report activities of the library.

Section 5. The Director of the West Georgia Regional Library System or his/her designee shall attend all meetings of the Board.

Section 6. A former trustee who previously served their full terms to their limits can reapply for a board position after one year.

ARTICLE II Officer Duties

Section 1. The Chair shall be the chief officer of the Advisory Board and shall preside at all meetings. He/she shall appoint all Board committees. The Chair shall cast a vote only when needed to break a tie vote of the Board.

Section 2. The Vice-Chair of the Advisory Board shall assist the Chair and, in the absence or disability of the Chair, perform the duties of the Chair.

Section 3. The Secretary of the Advisory Board will, prior to submission to the next scheduled meeting, review and approve meeting minutes taken and submitted by a staff member designated by the Library Manager. Custody of the official Board minutes will remain with the Villa Rica Public Library.

ARTICLE III Meetings

Section I. The Advisory Board shall meet at the library six times a year. Months designated for Board Meetings are February, April, June, August, October, and December. Board members must attend at least four of the six regularly scheduled meetings each calendar year.

Section 2. Special meetings for special purposes may be called provided that members have been notified at least 48 hours in advance.

Section 3. No official business may be conducted at a Board meeting without a quorum. Four **(4)** members shall constitute a quorum.

Section 4. Meeting agendas and notices, mailed electronically to board members prior to each meeting, shall indicate the time, date, and place of the meeting, and shall indicate all subject matters intended for consideration at the meeting.

Section 5. Board members may be subject to dismissal for failure to attend four regularly scheduled meetings within a calendar year. **Members should contact the board's designated contact person if they are unable to attend a meeting whenever possible.**

Section 6. All Board meetings and all committee meetings shall be held in compliance with Georgia's Open Meeting Law (O.C.G.A. § 50-14-1).

ARTICLE IV Amendments

These bylaws may be amended at any regular meeting of the Board by majority vote of all members of the Board, provided written notice of the proposed amendment shall have been mailed electronically to all members at least ten days prior to the meeting at which such action is proposed to be taken.

Amended 2/22/2018

Amended 9/6/2018

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Amended 2/22/2018

Amended 9/6/2018



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2025 Budget Amendments #133 - #150

AGENDA DATE: 05-13-2025

DATE PREPARED: 05-01-2025

PREPARED BY: Jennifer Hallman, Interim City Manager/CFO

AMOUNT: See Exhibit A

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM?

PUBLIC HEARING:

PURPOSE: To adopt a resolution amending the 2025 budget

MOTION: I move to adopt a resolution amending the 2025 fiscal year budget pursuant to Section 2-71 of the City Charter.

Gold Dust Park: Pickleball Courts, Pavilion, Resurface Tennis Courts, etc.				Total Project Cost: \$499,400
Source of Funds: Carroll SPLOST - Transfer of Funds				

Item	Account Name	Account Type		Amount
133 323-6110-541220	Gold Dust - Convert Tennis Courts to 8 Outdoor Pickleball Courts & Correct Drainage	Expense	Decrease	(200,000)
134 323-6110-541220	Gold Dust - New Pickleball Court Lighting	Expense	Decrease	(45,000)
135 323-6110-541220	Gold Dust - Demo and Rebuild Baseball Concession Stand	Expense	Decrease	(105,000)
136 323-6110-541240	Powell Park - Construct 4 tennis courts	Expense	Decrease	(100,000)
137 323-6110-541360	Funds Remaining from N Ave Gym Floor	Expense	Decrease	(16,728)
138 323-6120-541200	Funds Available from 2021 CSPLOST for Recreation	Expense	Decrease	(32,672)
139 323-6110-541220	Gold Dust - 6 New Pickleball Courts, Fencing, Lighting, Post, Net Systems, Sidewalks, Landscaping	Expense	Increase	250,500
140 323-6110-541220	Gold Dust - 20x60 Pavilion	Expense	Increase	54,000
141 323-6110-541220	Gold Dust - Restroom and Concession Facility	Expense	Increase	120,900
142 323-6110-541220	Gold Dust - Resurface & Paint Tennis Courts	Expense	Increase	74,000

Downtown Gym Parking Expansion (additional 15 parking spaces)				Total Project Cost: \$78,810
Source of Funds: General Fund Capital - Transfer of Funds				

Item	Account Name	Account Type		Amount
143 350-6110-541220	Gold Dust - Additional Pavilion & Seating	Expense	Decrease	(20,000)
144 350-6110-541220	Gold Dust - Walking Trail Lighting	Expense	Decrease	(25,000)
145 350-6110-541240	Powell Park - Add Parking lot and bleachers	Expense	Decrease	(10,000)
146 350-6110-541320	Gold Dust - Renovate Basketball Concession Stand	Expense	Decrease	(1,200)
147 350-1320-541300	Funds Available from City Hall Renovation	Expense	Decrease	(22,610)
148 350-6110-541260	N Ave Downtown Gym Parking Lot Expansion	Expense	Increase	78,810

GDOT Supplemental Funding				Total: \$269,553
Source of Funds: GDOT				

Item	Account Name	Account Type		Amount
149 335-334111	LMIG	Revenue	Increase	269,553
150 335-4210-541405	Road Resurfacing / Projects	Expense	Increase	269,553

Hotel Motel Product Development - Downtown Parking				Using product development funds for a portion of the downtown parking lot
Source of Funds: Product Development Funds				

Item	Account Name	Account Type		Amount
149 275-381000	Funds Generated from Fund Balance	Revenue	Increase	84,766
150 275-7540-572010	Product Development	Expense	Increase	84,766

GOLD DUST PARK PICKLEBALL COMPLEX

	Material Cost	Labor Cost
Total Cost of Consruction		
II. Construction Cost Breakdown	COST	Construction Cost
6 New Pickleball Courts		
Install 6 new pickleball courts	\$ 130,000	
Pickleball Fencing	\$ 50,000	
Electrical and Lighting	\$ 50,000	
6 Post and Net Systems	\$ 5,000	
Sidewalks	\$ 13,000	
Landscaping	\$ 2,500	
Subtotal	\$ 250,500	
20x60 Pavilion		
Pavilion Kit	\$ 30,000	
Pavilion Labor	\$ 15,000	
Slab and Labor	\$ 7,000	
Electrical	\$ 2,000	
Subtotal	\$ 54,000	
	\$ -	
	\$ -	
Restroomand Concession Facility 40'x24 with 12'x40' Porch		
Slab Material and Labor	\$ 5,000	
Block Material and Labor	\$ 8,400	
Framing Material and Labor	\$ 20,000	
Roofing and Siding Material and Labor	\$ 22,000	
Plumbing and Fixtures	\$ 20,000	
Electrical and Fixtures	\$ 12,000	
HVAC	\$ 3,500	
Insulation	\$ 2,500	
Stall Partitions	\$ 10,000	
Interior Siding, Trim, Cabnits and Paint	\$ 10,000	
Exterior Paint, Landscape, and Gutters	\$ 7,500	
Subtotal	\$ 120,900	
	\$ -	
	\$ -	

Resurface and Paint tennis Courts	\$	74,000	
	\$	-	
Add 13 Parking Spaces	\$	50,000	Remove
	\$	-	
Grand total	\$	549,400	#499,400
Available Funds	\$	550,491	
	\$	-	
	\$	-	
	\$	-	
	\$	-	
	\$	-	
	\$	-	

* Hold off on Addt'l
Parking Spaces

* Use funding for Downtown
Gym Parking Expansion

206 North Avenue

Downtown Gym Parking Expansion

Adding 15 parking space's

Total Cost of Consruction

\$78,810

II. Construction Cost Breakdown

Material Cost

Labor

Total Cost

125 feet of 10' steel reinforced poured concrete wall

\$9,375.00

\$9,375.00

125 feet of 2' wide footings

\$1,500

\$1,500

75 feet of 12' steel reinforced poured concrete wall

\$7,125

\$7,125

75 feet of 3' wide footings

\$1,500

\$1,500

200 #5 dowels

\$1,300

\$1,300

steel rebar and formboards

\$ 8,060

\$8,060

2 pump truck services

\$3,600

\$3,600

110 yards 4000 mix wall concrete

\$24,000

\$24,000

3750 sq.ft. slab work

\$6,600

\$6,600

72 yards crusher run stone

\$ 2,000

\$2,000

5 rolls 6x6 welded wire mesh

\$ 1,250

\$1,250

60 yards 4000 mix slab concrete

\$12,000

\$12,000

10 gallons striping paint

\$ 500

\$500

55

W.

X.

Y.

Z.

Total

\$ 47,810

\$31,000

\$78,810

Total

Page: 1 of 1
 Vendor Number: 0000014545
 Vendor Name: CITY OF VILLA RICA

STATE OF GEORGIA
 Transportation, Dept of
 Atlanta GA 30308
 Bank: 1100 - 1003

Check No: 0000305459
 Check Date: 04/21/2025
 Check Total: \$269,552.15

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Taken	Paid Amount
LMIG2025SUP	04/16/2025	01783027	269,552.15	0.00	269,552.15

BA: 335-334111
335-4210-541405



Seq No: 5

STATE OF GEORGIA
 Transportation, Dept of
 600 West Peachtree Street
 Atlanta GA 30308

0000305459
 Vendor No: 0000014545
 Check Date: 04/21/2025

64-975/612

Pay ****Two hundred sixty-nine thousand five hundred fifty-two and 15/100 Dollar ****

Pay To The CITY OF VILLA RICA
 Order Of 571 W BANKHEAD HIGHWAY
 VILLA RICA GA 30180-1726

\$269,552.15

Void After 60 Days

Wells Fargo Bank

Angela D. Whitworth
 Authorized Signature

⑈0000305459⑈ ⑆061209756⑆ 8019329799⑈

Jennifer Hallman

From: Hal Burch
Sent: Wednesday, April 16, 2025 8:09 AM
To: Diana DeSanto; Jennifer Hallman
Cc: Mark Teal
Subject: FW: EXTERNAL EMAIL: The LMIG Application has been APPROVED

Supplemental approval

From: GRANTSAdministrator@dot.ga.gov <GRANTSAdministrator@dot.ga.gov>
Sent: Wednesday, April 16, 2025 5:25 AM
To: Hal Burch <hburch@villarica.gov>
Cc: wwright@dot.ga.gov; jciavarro@dot.ga.gov; lbrooker@dot.ga.gov
Subject: EXTERNAL EMAIL: The LMIG Application has been APPROVED

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The following LMIG Application has been approved. You should receive payment within 10 business days.

- Local Government: (Carroll / Douglas) County / Villa Rica
- Grant Type: LMIG
- LMIG Reference ID: LMIG-2025-27697-SUP

Please go to the [GRANTS Application](#) and login to view the details/status.

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.



Hotel / Motel Tax Fund
Statement of Revenue, Expenditures & Changes to Fund Balance
For the Month Ended March 31, 2025

	3/30/2024	3/30/2024	9/30/2025	3/31/2025	3/31/2025	6 Mths 50%
	PY MONTH ACTUALS	PRIOR YTD ACTUALS	CY BUDGET	CURRENT MONTH ACTUALS	CURRENT YTD ACTUALS	% OF BUDGET
Revenues:						
Hotel / Motel Tax	\$ -	\$ 88,461	\$ 348,563	\$ 31,072	\$ 129,676	37%
Product Development (1.5%)	-	20,414	80,438	7,170	29,925	37%
Interest Revenue	-	1,962	-	-	2,354	
Total Revenues	-	110,836	429,001	38,242	161,955	38%
Expenditures:						
Board of Tourism	-	-	-	-	-	
Villa Rica CVB (3.5%)	-	47,633	187,688	16,731	69,826	37%
Product Development (1.5%)	-	8,745	80,438	81,616	81,616	101%
Total Expenditures	-	56,377	268,126	98,347	151,441	56%
Excess (deficiency) of revenues over expenditures	-	54,459	160,875	(60,104)	10,514	
Other Financing Uses:						
Transfers Out - General Fund (3%)	-	40,828	160,875	14,341	59,851	37%
Total Other Financing Uses	-	40,828	160,875	14,341	59,851	37%
Net Change in Fund Balance	-	13,631	-	(74,445)	(49,337)	
Fund Balance, beginning		107,075			159,741	
Fund Balance, ending		\$ 120,706			\$ 110,405	

\$77k

\$7,400

BA needed
due to
paving parking
lot
Fence

275-381000
275-7540-572010

STATE OF GEORGIA
CITY OF VILLA RICA

A RESOLUTION TO APPROVE AN AMENDMENT TO THE BUDGET
FOR THE FISCAL YEAR 2025 FOR THE CITY
PURSUANT TO SECTION 2-71 OF THE CITY CHARTER

WHEREAS the Mayor and City Council adopted the 2025 Budget on September 10, 2024, which incorporated all the various funds of the City; and

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

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

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

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

Section 1. That the City of Villa Rica, Georgia, hereby amends the Budget for Fiscal Year 2025, said budget amendment being described as Amendment No. 133-150, attached hereto, and incorporated as Exhibit A.

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

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

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

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

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

Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of same.

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

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

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

SO RESOLVED AND EFFECTIVE this the 13 day of May, 2025.

Approved:

Leslie McPherson, Mayor

Attest:

Theresa Campbell, City Clerk



MAYOR & COUNCIL WORK SESSION MINUTES

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

March 25, 2025 | 10:00 AM

Meeting Call to Order (Mayor Leslie McPherson)

Present: Mayor Leslie McPherson, Mayor Pro Tem Anna McCoy, (absent) Councilwoman Shirley Marchman, Councilman Matthew Momtahan, Councilwoman Stephanie Warmoth, and Councilman Danny Carter (absent)

A. Governing Body

1. Completed the Consent Agenda:

The Consent Agenda is a single item that encompasses all things the City Council would normally approve with little comment. Each of these items were discussed at the Council Work Session, and it was the unanimous consensus of the Governing Body to place the following items on the Consent Agenda.

1. Keep Carroll Beautiful Sponsorship for E- Recycling Event
2. Approval of J & M Tank Lines and Scruggs Company for a fixed asphalt plant to be located on the existing property parcel No. V030100037
3. Approval of 3 way stop at the intersection of Thomas Dorsey and Daniel Road
4. Approval of Mirror Lake Blvd Left-hand Turn Lane design
5. Approval of the 2025 Community Development Grant Application from the Villa Rica Lions Club in the amount of \$8,500 for the Sail On Beach Boys Tribute Fundraiser Concert to be held Saturday, October 4, 2025 at the Mill Amphitheater
6. Approval of the 2025 Community Development Grant Program Application request of \$10,000 to the Thomas A. Dorsey Birthplace & Gospel Heritage Festival, Inc., for their annual event on June 27th, 28th, and 29th, 2025 at the Mill Amphitheater

Mayor Leslie McPherson

City Clerk Theresa Campbell

CITY COUNCIL
LESLIE MCPHERSON, MAYOR
ANNA MCCOY, MAYOR PRO TEM
SHIRLEY MARCHMAN
MATTHEW MOMTAHAN
STEPHANIE WARMOTH
DANNY CARTER

City of Villa Rica



INT CITY MANAGER: DIANA DESANTO
CITY CLERK: THERESA CAMPBELL
CITY ATTORNEY: KEVIN DRUMMOND

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

SPECIAL CALLED COUNCIL MEETING MINUTES Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street March 27, 2025 | 5:00 PM

Meeting Call to Order (Mayor Leslie McPherson)

Present: Mayor Leslie McPherson, Mayor Pro Tem Anna McCoy, Councilwoman Shirley Marchman, Councilman Matthew Momtahan, Councilwoman Stephanie Warmoth and Councilman Danny Carter.

Adoption of Agenda (Mayor Leslie McPherson)

Councilman Danny Carter moved to approve the agenda as presented.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Shirley Marchman, Councilwoman
AYES:	Marchman, Momtahan, Warmoth, McCoy, Carter

A. Governing Body (Mayor Leslie McPherson)

1. Ethics Ordinance Discussion

Councilman Danny Carter moved to ordain a moratorium of sixty (60) days for any new Ethics Complaints.

RESULT:	ADOPTED
MOVER:	Danny Carter, Councilman
SECONDER:	Stephanie Warmoth, Councilwoman
AYES:	Marchman, Warmoth, McCoy, Carter
NAYS:	Momtahan

2. Board of Ethics Appointment

Councilman Danny Carter moved to approve Connie Flowers as appointed by the Mayor, to the Villa Rica Board of Ethics.

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

- B. Adjournment:** Councilman Danny Carter moved to adjourn the meeting. Councilman Matthew Momtahan seconded. The vote was unanimous. Mayor Leslie McPherson adjourned the meeting.

Mayor Leslie McPherson

City Clerk Theresa Campbell

CITY COUNCIL
LESLIE MCPHERSON, MAYOR
ANNA MCCOY, MAYOR PRO TEM
SHIRLEY MARCHMAN
MATTHEW MOMTAHAN
STEPHANIE WARMOTH
DANNY CARTER

City of Villa Rica



INTERIM CITY MANAGER: DIANA DESANTO
CITY CLERK: THERESA CAMPBELL
CITY ATTORNEY: KEVIN DRUMMOND

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

CITY COUNCIL MEETING MINUTES

Holt-Bishop Justice Center, 101 Main Street
Tuesday, April 1, 2025 | 6:00 pm

Meeting Call to Order (Mayor Leslie McPherson)

Mayor Leslie McPherson called the meeting to order

Present: Mayor Leslie McPherson, Mayor Pro Tem Anna McCoy, Councilwoman Shirley Marchman (Absent), Councilman Matthew Momtahan, Councilwoman Stephanie Warmoth, and Councilman Danny Carter

Invocation was led by Mr. Alex Lemons, Member of Senior Center

Pledge of Allegiance was led by Sgt. Jacob Brown, Villa Rica Police Department

Ceremonial Presentations (Mayor and Council)

10 Years of Service Recognition- Katie Godfrey
Georgia Cities Week April 21- April 26, 2025
Georgia Municipal Clerks Week May 4- May 10, 2025
Proclamation for May id Older Americans Month
Proclamation Carroll County Child Advocacy Center, Child Abuse Prevention Month

Adoption of the Agenda (Mayor Leslie McPherson)

Councilman Danny Carter moved adopt the agenda as presented.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Matthew Momtahan, Councilman
AYES:	Momtahan, Warmoth, McCoy, Carter

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.)

1. David Taylor- Mentioned paving project that occurred in Mirror Lake Subdivision. He is upset that the crosswalks were not repainted or marked with signage.
2. Aleta Farmer- She is thankful for the Proclamation for May is Older Americans Month. She is disappointed the Council has not considered older residents when making decisions on the new road.
3. Pam Whyte-She believes the common denominator between previous council and the current administration is that deals were made for property that the city does not own. She mentioned the ethics board is useless as it is currently designed.
4. Amy McCoy- read from a prepared statement and wants explanation of several documents. She wants to know how TAD dollars were spent.
5. Doug Lang-mentioned state ethics board fines. He questioned why Villa Rica was audited. He was personally involved in an audit because of the complaint made by the city. He gave examples as to why the city may have been chosen for the audit.
6. Marvin Helton- mentioned Thomas Dorsey speeding issue. He requested speed bumps. He also disagrees with 1 way road on Eleanor Walk.

Council Updates (Subjects of General Interest and Concern)

Councilwoman Anna McCoy gave praise to the Parks and Recreation Department. She mentioned being invited to throw the first pitch at the opening ceremony. She was given a jersey like the ones worn by staff. A young child came and gave her a hug, and she knew that it was a testament to the great, safe job the department implements. She also mentioned attending the Mirror Lake HOA meeting.

Consent Agenda (Mayor Leslie McPherson)

The Consent Agenda is a single item that encompasses all things the City Council would normally approve with little comment. Each of these items were discussed at the Council Work Session, and it was the unanimous consensus of the Governing Body to place the following items on the Consent Agenda.

1. Keep Carroll Beautiful Sponsorship for E- recycling Event
Approval of J & M Tank Lines and Scruggs Company for a fixed asphalt plant to be located on the existing property parcel # V030100037
2. Approval of 3 way stop at the intersection of Thomas Dorsey and Daniel Rd.
3. Approval of award to the low bid from Magnum Paving, Inc. for the Min St. Plaza Paving Project
4. Approval of the current Mirror Lake Blvd. Left-hand Turn Lane Design
5. Approval of the 2025 Community Development Grant Application from the Villa Rica Lions Club in the amount of \$8500 for the Sail On Beach Boys Tribute Fundraiser Concert to be Saturday October 4, 2025 at the Mill Amphitheater
6. Approval of the 2025 Community Development Grant Application request of \$10,000 to Thomas Dorsey Birthplace & Gospel Heritage Festival, Inc. for their annual event on June 27th-29th, 2025 at the Mill Amphitheater

Councilman Danny Carter moved to approve the Consent Agenda as presented.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Danny Carter, Councilman
SECONDER: Matthew Momtahan, Councilman
AYES: Momtahan, Warmoth, McCoy, Carter

A. Governing Body (Mayor Leslie McPherson)

1. Approval of March 4, 2025 Work Session Minutes and Approval of March 11, 2025 Regular Meeting Minutes

Councilman Matthew Momtahan moved to approve both meeting minutes as presented.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Matthew Momtahan, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Momtahan, Warmoth, McCoy, Carter

2. Main Street Advisory Board Appointments

Councilman Danny Carter moved to appoint Gina Price Steed and Nathan Jackson to the Main Street Advisory Board to fill the unexpired terms of Barbara Daniell and Susan Crane with terms of 01/01/2024 through 12/31/2025.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Danny Carter, Councilman
SECONDER: Matthew Momtahan, Councilman
AYES: Momtahan, Warmoth, McCoy, Carter

3. Downtown Development Authority Appointment

Councilman Matthew Momtahan moved to the appointment of Alan Martinez to the Downtown Development Authority to fill the unexpired term of Barbara Daniell for a term of 01/01/2023 through 12/31/2027.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Matthew Momtahan, Councilman
SECONDER: Danny Carter, Councilman
AYES: Momtahan, Warmoth, McCoy, Carter

B. Public Works (Hal Burch, Director)

1. Thomas Dorsey 3-way, Eleanor Walk Proposed One Way and Public Hearing

Public Hearing Against:

1. Ryan Clark- thanked Stephanie Warmoth for apologizing for making a mistake. He disagrees with closing Eleanor Walk. The only entrance to his business is on that road. He also mentioned in 11 years he has never seen traffic back up on Eleanor Walk.

2. Doug Lang- mentioned there are great options for this issue. He does not want Eleanor Walk to become a 1-way street, he would like to see speed bumps not humps.
3. Pam Whyte- does not understand why there is a public hearing. She mentioned no notification was given and had there been proper notice the community would have shown up.
4. Aleta Farmer- she is familiar with traffic in the area and thinks the school board should manage this issue.

Councilman Danny Carter moved to table item until next regular meeting and was seconded by Councilwoman Anna McCoy, after further discussion Councilman Danny Carter withdrew his motion. Without a motion on the floor Councilman Matthew Momtahan made a motion to call the question and was seconded by Councilman Danny Carter, the city attorney Kevin Drummond explained there would typically need to be a motion on the floor to “call the question”. The Council took no action on this item.

City Manager’s Report (Diana DeSanto, Interim)

Interim City Manager Diana DeSanto provided an April 2025 update via PowerPoint Presentation

C. Executive Session (Kevin Drummond, City Attorney)

Councilman Danny Carter moved to enter into Executive Session for the purpose of pending litigation and to discuss or vote to enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-3(b)(1)(D), and to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3 (b)(2) at 7:44 PM.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Matthew Momtahan, Councilman
AYES:	Momtahan, Warmoth, McCoy, Carter

Councilman Danny Carter moved to enter back into Regular Session at 9:05 PM.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Anna McCoy, Councilwoman
AYES:	Momtahan, Warmoth, McCoy, Carter

No action taken

Adjournment (Mayor Leslie McPherson)

Councilman Danny Carter moved to adjourn the meeting and was seconded by Councilwoman Anna McCoy and the vote was unanimous. Mayor Leslie McPherson adjourned the meeting.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Anna McCoy, Councilwoman
AYES:	Marchman, Momtahan, Carter, Warmoth, McCoy

Mayor Leslie McPherson

City Clerk Theresa Campbell

CITY COUNCIL
LESLIE MCPHERSON, MAYOR
ANNA MCCOY, MAYOR PRO TEM
SHIRLEY MARCHMAN
MATTHEW MOMTAHAN
STEPHANIE WARMOTH
DANNY CARTER

City of Villa Rica



INT CITY MANAGER: DIANA DESANTO
CITY CLERK: THERESA CAMPBELL
CITY ATTORNEY: KEVIN DRUMMOND

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SPECIAL CALLED COUNCIL MEETING MINUTES Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street April 28, 2025 | 5:00 PM

Meeting Call to Order (Mayor Leslie McPherson)

Present: Mayor Leslie McPherson, Mayor Pro Tem Anna McCoy, Councilwoman Shirley Marchman, Councilman Matthew Momtahan, Councilwoman Stephanie Warmoth and Councilman Danny Carter.

Adoption of Agenda (Mayor Leslie McPherson)

Councilman Matthew Momtahan moved to approve the agenda as presented.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Matthew Momtahan, Councilman
SECONDER:	Shirley Marchman, Councilwoman
AYES:	Marchman, Momtahan, Warmoth, McCoy, Carter

A. Governing Body (Mayor Leslie McPherson)

1. Discussion of Appointment of Interim City Manager

B. Finance (Jennifer Hallman, CFO/Interim Deputy City Manager)

1. Approve the property & liability insurance renewal with Georgia Interlocal Risk Management Agency (GIRMA)

Councilman Danny Carter moved to approve the renewal with Georgia Interlocal Risk Management Agency for the period of May 1, 2025 to May 1, 2026 in the amount of \$410,202.

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

2. Approve the excess (supplemental) cyber liability insurance renewal through Georgia Interlocal Risk Management Agency (GIRMA)

Councilman Danny Carter moved to approve the excess cyber liability insurance renewal for the quoted price of \$14,040.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Marchman, Momtahan, Warmoth, McCoy, Carter

3. Ratify the Right- of-Way Services Agreement with BM&K

Councilman Danny Carter moved to ratify the right- of- way services agreement with BM&K.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Marchman, Momtahan, Warmoth, McCoy, Carter

4. Refund of TAD property tax due to an appeal- Discussion Only
5. Certify the Estimate Roll-Back Millage Rate at 5.588

Councilman Danny Carter moved to certify the estimated roll-back millage of 5.588.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Marchman, Momtahan, Warmoth, McCoy, Carter

C. Public Works (Hal Burch, Director)

1. 2025 Church Street Paving Project

Councilman Danny Carter moved to approve the bid from Magnum Paving Inc., and to authorize the City Attorney to develop the contract based on the bid documents and authorize the Mayor or City Manager to sign.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Marchman, Momtahan, Warmoth, McCoy, Carter

D. Utilities (John Bain, Director)

1. Emergency Repair of Cowan's Lake Dam and Resolution

Councilman Danny Carter moved to approve the Resolution for the City of Villa Rica for Emergency Repair to Cowan's Lake Dam and to authorize the Mayor to execute the agreement for emergency dam repairs as quoted by Tim Grizzard and Associates, at a cost of \$150,000.00

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Marchman, Momtahan, Warmoth, McCoy, Carter

E. Executive Session (Kevin Drummond, City Attorney)

Councilman Danny Carter moved to enter into Executive Session for the purpose of meeting to discuss or vote to enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-3(b)(1)(D) and meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2) at 5:38 PM.

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

Councilman Danny Carter moved to return to regular session at 7:18 PM.

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

Councilman Danny Carter moved to approve an agreement with Sumter Local Government Consulting for Interim Community Development Director position and with Mark Teal to cover in the interim period if he is willing to do so.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Marchman, Momtahan, Warmoth, McCoy, Carter

Mayor Leslie McPherson appointed Jennifer Hallman as Interim City Manager until the May meeting or until such time we enter into an agreement with someone else, and thinking no further than the May meeting.

F. Adjournment: Councilwoman Anna McCoy moved to adjourn the meeting. Councilman Danny Carter seconded. The vote was unanimous. Mayor Leslie McPherson adjourned the meeting.

Mayor Leslie McPherson

City Clerk Theresa Campbell



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: ABL-05-25 San Andres Villa Rica LLC

AGENDA DATE: May 13, 2025

DATE PREPARED: May 5, 2025

PREPARED BY: Whitney Cox, Licensing Specialist

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PUBLIC HEARING: Yes

PURPOSE: To present an application San Andres Villa Rica, LLC to pour malt beverages, wine and distilled spirits at the business location of 103 Villa Rica Pkwy. Ste. 200, Villa Rica, GA 30180.

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

STAFF RECOMMENDATION: Approval

IMPACT: None

MOTION: I move to approve the alcohol license application for San Andres Villa Rica, LLC located at 103 Villa Rica Pkwy. Ste. 200, Villa Rica, GA 30180.



Alcohol License Application

ABL-05-25

INSTRUCTIONS: Every question must be answered fully and correctly. If the space provided is not sufficient, answer the question on a separate sheet and indicate in that space that a separate sheet is attached. When completed, it must be dated, signed, and verified under oath by the applicant and filed in person by the applicant with the **Community Development Department, 1605 Carrollton Villa Rica Highway, Villa Rica, Georgia 30180**, together with all supporting documentation and the required non-refundable application fee.

A license issued to an individual shall be issued in the name of the individual. A license issued to a partnership shall be issued in the name of the partnership and in the name of one of the partners who shall be the named licensee. A license issued to a corporation having as its principal business the sale of alcoholic beverages shall be issued in the name of the Corporation and in the name of the majority stockholder or a principal officer of the corporation; and such majority stockholder or officer shall be the named licensee. A license issued to a corporation having as its principal business an activity other than the sale of alcoholic beverages shall be issued in the name of the corporation and in the name of the officer or employee of the corporation primarily responsible for the operation of the licensed premises; and such officer or employee shall be named the Licensee.

NON-REFUNDABLE APPLICATION FEE

Package Malt Beverage	\$100.00	Pouring Restaurant – All	\$100.00	Pouring Private/Supper Club- All	\$500.00
Package Wine	\$100.00	Pouring Restaurant- Limited	\$100.00	Pouring Private/Supper Club - Limited	\$500.00
Package Distilled Sprits	\$1000.00				
Wine Tasting	\$100.00	Wholesale Dealer	\$500.00	Alcohol Catering	\$100.00
Growler	\$100.00	Wine & Craft Beer Boutique	\$100.00	Special Event	\$100.00

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

- | | | |
|-------------------------------------|---|------------|
| ☐ | Retail Package Distilled Spirits | \$1,000.00 |
| ☐ | Retail Package Malt Beverage | \$200.00 |
| ☒ | Pouring License Restaurant | \$3,500.00 |
| ☐ | Pouring License Supper Club | \$5,000.00 |
| ☐ | Pouring License Private Club | \$3,500.00 |
| ☐ | Growler License (In Conjunction with Retail Package Malt Beverage & Wine License) | \$200.00 |
| ☐ | Retail Package Wine | \$100.00 |
| ☐ | Limited Pouring License Restaurant | \$500.00 |
| ☐ | Limited Pouring License Supper Club | \$3,000.00 |
| ☐ | Limited Pouring License Private Club | \$500.00 |
| ☐ | Alcohol Catering (In Conjunction with Limited Pouring License – Restaurant) | \$500.00 |
| ☐ | Wine Tasting (In Conjunction with Retail Package Wine License) | \$100.00 |
| ☐ | Wine & Craft Beer Boutique | \$500.00 |
| ☐ | Wholesale Dealer | \$500.00 |

TYPE OF OUTLET

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

PART I

1. Name of Business:

SAN ANDRES VILLA RICA LLC DBA SAN ANDRES MEXICAN RESTAURANT

2. Full name and legal residence of the NAMED LICENSEE- (a) Individual (b) Principal Officer/Employer

ROBERT TRIVINO 435 MCWILLIAMS AVE SE, ATLANTA, GA 30316

Full Name

Address

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

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

4. Address of business for which application is made:

103 MIRROR LAKE CONNECTOR STE 200 VILLA RICA GA 30180

Phone Number: 678-644-4766

Business

Home/cell/other

Mailing Address: 103 MIRROR LAKE CONNECTOR STE 200 VILLA RICA GA 30180

5. Type of Ownership:

☐ Individual

☐ Partnership

☒ Corporation

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

Full Name

Address

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

SAN ANDRES VILLA RICA LLC

Name, Percent Interest and Legal Address of Principle Stockholders and Corporate Officers or Partners:

<u>ROBERT TRIVINO</u>	<u>435 MCWILLIAMS AVE SE, ATLANTA, GA 30316</u>	<u>50%</u>
Full Name	Address	% Interest

<u>JUAN HERNANDEZ MERCADO</u>	<u>638 WYNNEWOOD CT SW POWDER SPRINGS GA 30127</u>	<u>50%</u>
Full Name	Address	% Interest

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

FULL SERVICE RESTAURANT

6. Business Information:

Federal Tax ID Number: 99-2150871 GA Sales Tax Number: 309-001011

Business License Number: 414251

PART II

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

LIVE MUSIC, ON WEEKENDS

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

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

3. Have you included with this application a check for the non-refundable application fee required by section 4-25 of the Alcohol Beverage Ordinance of the City of Villa Rica?
☒ Yes ☐ No

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

- ☐ A copy of the Deed to the premises to be licensed, if owned by applicant.
- ☒ A copy of the Lease Agreement covering the premises to be licensed, if leased by the applicant.
- ☐ In the case of a Partnership, a copy of the Partnership Agreement.
- ☒ In the case of a Corporation, a copy of the Articles of Incorporation.
- ☒ A current stamped certificate from a registered surveyor which shows a scale drawing of the premises and the location at which the applicant desires to operate an alcoholic beverage outlet and which shows, with linear foot measurements where appropriate, such location's compliance or non-compliance with the provisions of Chapter 4 of the Alcoholic Beverage Ordinance of the City of Villa Rica.

5. Have you confirmed with the City of Villa Rica Community Development Department that the location of the proposed outlet is in a zoning district approved for the sale of alcoholic beverages subject to the specific limitations of the respective district as provided for in Chapter 4 of the Alcoholic Beverage Ordinance of the City of Villa Rica?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

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

10. Has the named Licensee and all other persons otherwise required, submitted themselves to the City of Villa Rica Police Department for fingerprinting and background check(s) as provided for in Sec. 4-29 of the Alcoholic Beverage Ordinance of the City of Villa Rica?
☒ Yes ☐ No

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

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

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

N/A

12. Has any alcoholic beverage business in which the named Licensee, Partner(s), the Corporation or Corporate Officers holds or has held any financial interest, or are



employed, or have been employed, ever been cited for any violation of the rules and regulations of the State Revenue Commissioner or any local ordinance/legislation relating to the sale or distribution of alcoholic beverage? Yes ☐ No ☒

If the answer to any portion of question 12 is "yes," describe in detail and give date and occurrences:

N/A

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

Columbia

Place of Birth

10/31/1968

Date of Birth

REFERENCES

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

JESUS GALEANO	4120 PRESIDENTIAL PKWY, ATLANTA, GA 30340	12	678-291-6825
Name	Residence/Business Address	Years Known	Phone #
JOHANNA ALVAREZ	4120 PRESIDENTIAL PKWY, ATLANTA, GA 30340	12	678-291-6825
Name	Residence/Business Address	Years Known	Phone #
ANTONIO VILLEGAS	4120 PRESIDENTIAL PKWY, ATLANTA, GA 30340	12	678-291-6825
Name	Residence/Business Address	Years Known	Phone #

PART III
VERIFICATION

State of Georgia, DeKalb County

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



Applicants Signature (FULL NAME IN INK)

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

This 27 day of March, 20 25.

Antonio A Villegas My Commission Expires: 01-28-2029
Notary Public

(Seal)

ANTONIO VILLEGAS
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
My Commission Expires
01/28/2029

AFFP

LIQ LIC SAN ANDRES

Affidavit of Publication

STATE OF GEORGIA }
COUNTY OF DOUGLAS } SS

Rachael Raney, being duly sworn, says:

That she is Publisher of the Douglas County Sentinel, a newspaper of general circulation, printed and published in Douglasville, Douglas County, Georgia; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

April 01, 2025

NOTICE OF APPLICATION FOR ALCOHOL BEVERAGE

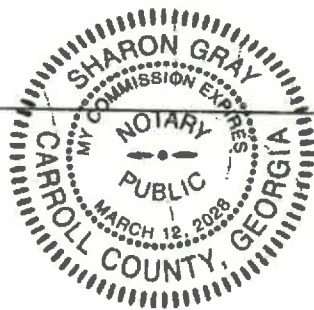
San Andres Villa Rica LLC dba San Andres Mexican Restaurant has filed an application to sell alcoholic beverages on premises of 103 Mirror Lake Connector Suite 210, VILLA RICA, GA 30180 as a Mexican Restaurant (ALCOHOL LICENSE). A public hearing on the application will be held on TUESDAY, MAY 13, 2025 at 6:00 P.M. at the HOLT BISHOP JUSTICE CENTER, MUNICIPAL COURT ROOM, 101 MAIN STREET, VILLA RICA, GA. For additional information on this application contact the Community Development Department at (678)-840-1224.
04/01

Publication Fees: \$ 54.00

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

SIGNED:

Subscribed to and sworn to me this 1st day of April 2025.



70135582 71198776

ROBERT TRIVINO
103 MIRROR LAKE CONNECTOR STE 210
VILLA RICA, GA 30180

Affidavit of Publication

STATE OF GEORGIA } SS
COUNTY OF CARROLL }

Rachael Raney, being duly sworn, says:

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

April 01, 2025

NOTICE OF APPLICATION FOR ALCOHOL BEVERAGE

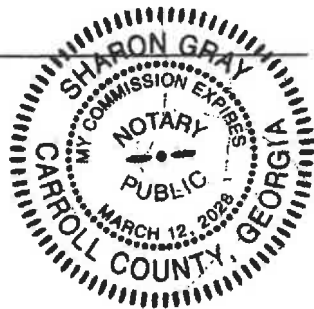
San Andres Villa Rica LLC dba San Andres Mexican Restaurant has filed an application to sell alcoholic beverages on premises of 103 Mirror Lake Connector Suite 210, VILLA RICA, GA 30180 as a Mexican Restaurant (ALCOHOL LICENSE.) A public hearing on the application will be held on TUESDAY, MAY 13, 2025 at 6:00 P.M. at the HOLT BISHOP JUSTICE CENTER. MUNICIPAL COURT ROOM, 101 MAIN STREET, VILLA RICA, GA. For additional information on this application contact the Community Development Department at (678)-840-1224.
04/01

Publication Fees: \$ 54.00

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

SIGNED:

Subscribed to and sworn to me this 1st day of April 2025.



70135582 71198776

ROBERT TRIVINO
103 MIRROR LAKE CONNECTOR STE 210
VILLA RICA, GA 30180

NOTICE OF APPLICATION FOR ALCOHOL BEVERAGE

San Andres Villa Rica LLC dba
San Andres Mexican Restaurant
has filed an application to sell
alcoholic beverages on premises
of **103 Mirror Lake Connector**
Suite 210, VILLA RICA, GA
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(Alcohol License.) A public hearing
on the application will be held on
TUESDAY, MAY 13, 2025 at 6:00
P.M. at the HOLT BISHOP
JUSTICE CENTER, MUNICIPAL
COURTROOM, 101 MAIN
STREET, VILLA RICA, GA. For
additional information on this
application contact the community
Development Department at
(678)-840-1224

LEASE AGREEMENT

by and between

Fuqua BCDC Villa Rica Project Owner, LLC

("Landlord")

and

San Andres Villa Rica, LLC

d/b/a San Andres Mexican Restaurant

("Tenant")

dated

April 19, 2024

for

Suite Number 210

containing approximately

3,800 square feet of Gross Leasable Area

Term: 10 years

**Villa Rica Town Center
Villa Rica, Georgia**

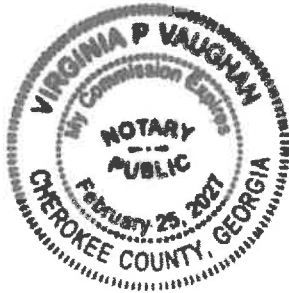
IN WITNESS WHEREOF, Guarantor has hereunder caused this Guaranty to be executed under seal and delivered to Landlord the day and year first above written.

Sworn to and subscribed before me
this 22 day of April, 2021.

Virginia P. Vaughan
Notary Public

My Commission expires: 2/25/27

[Notarial Seal]



By: [Signature]

Name: Robert Trivino

Title: Owner

Address: 435 McWilliams Ave. SE
Atlanta GA 30316



Public Hearing Date

City Council: May 13, 2025

Request: Alcoholic Beverage License

Project Description: Pouring Restaurant- Malt Beverages, Wine & Distilled Spirits

Applicant: San Andres Villa Rica, LLC
Licensee: Robert Trivino
435 McWilliams Ave. SE
Atlanta, GA 30316

Location: 103 Villa Rica Pkwy. Ste. 200., Land Lot 176, 2nd District; Carroll Co., Ward 1

Parcel Number(s): V07 0100173

Current Zoning: C2 (Commercial- Medium Density)

Current Land Use: Commercial

Location and Zoning Requirements:

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

Sec. 4-69. Zoning Restriction

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

The subject property is zoned C2 (Commercial- Medium Density).

Sec. 4-70. Proximity Restrictions:

- (a) No premises shall be licensed under this chapter whose location is within the following distances:*

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

Compliance: Yes

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

Compliance: Yes

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

Compliance: Yes

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

Compliance: **Yes**

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

Compliance: **Yes**

Sec. 4-29 Investigation; Hearing:

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

Public Response:

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

Staff Comments:

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

Recommendation:

Staff recommends **approval** of the request by San Andres Villa Rica, LLC and Robert Trivino, for the alcohol license to pour malt beverages, wine and distilled spirits at 103 Villa Rica Pkwy. Ste. 200.



Whitney Cox
Licensing Specialist

Attachments:

1. Application
2. Affidavit of Publication
3. Commercial Lease/Proof of Ownership



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: ABL-06-25 QuikTrip Corporation

AGENDA DATE: May 13, 2025

DATE PREPARED: May 5, 2025

PREPARED BY: Whitney Cox, Licensing Specialist

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PUBLIC HEARING: Yes

PURPOSE: To present an application for QuikTrip Corporation to sell retail package malt beverages and wine at the business location of 650 Hwy 61., Villa Rica, GA 30180.

BACKGROUND: The applicant has complied with the ordinance with regard to the legal notification requirements and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location zoning restrictions that would hinder the issuance of the license. The business is currently operating as a convenience store with gas pumps and holds a valid alcohol and business license. The applicant will become the new licensee.

STAFF RECOMMENDATION: Approval

IMPACT: None

MOTION: I move to approve the alcohol license application for QuikTrip Corporation located at 650 Hwy. 61, Villa Rica, GA 30180.



Alcohol License Application

ABL-04-25

INSTRUCTIONS: Every question must be answered fully and correctly. If the space provided is not sufficient, answer the question on a separate sheet and indicate in that space that a separate sheet is attached. When completed, it must be dated, signed, and verified under oath by the applicant and filed in person by the applicant with the **Community Development Department, 1605 Carrollton Villa Rica Highway, Villa Rica, Georgia 30180**, together with all supporting documentation and the required non-refundable application fee.

A license issued to an individual shall be issued in the name of the individual. A license issued to a partnership shall be issued in the name of the partnership and in the name of one of the partners who shall be the named licensee. A license issued to a corporation having as its principal business the sale of alcoholic beverages shall be issued in the name of the Corporation and in the name of the majority stockholder or a principal officer of the corporation; and such majority stockholder or officer shall be the named licensee. A license issued to a corporation having as its principal business an activity other than the sale of alcoholic beverages shall be issued in the name of the corporation and in the name of the officer or employee of the corporation primarily responsible for the operation of the licensed premises; and such officer or employee shall be named the Licensee.

NON-REFUNDABLE APPLICATION FEE

Package Malt Beverage	<u>\$100.00</u>	Pouring Restaurant – All	\$100.00	Pouring Private/Supper Club- All	\$500.00
Package Wine	<u>\$100.00</u>	Pouring Restaurant- Limited	\$100.00	Pouring Private/Supper Club - Limited	\$500.00
Package Distilled Sprits	<u>\$1000.00</u>				
Wine Tasting	\$100.00	Wholesale Dealer	\$500.00	Alcohol Catering	\$100.00
Growler	\$100.00	Wine & Craft Beer Boutique	\$100.00	Special Event	\$100.00

<u>TYPE OF LICENSE/Annual License Fee (Check One Only)</u>			<u>TYPE OF OUTLET</u>	
☐	Retail Package Distilled Spirits	\$1,000.00	☒	Retail Package Sales
☒	Retail Package Malt Beverage	\$200.00	☐	Restaurant
☐	Pouring License Restaurant	\$3,500.00	☐	Special Event
☐	Pouring License Supper Club	\$5,000.00	☐	Supper Club
☐	Pouring License Private Club	\$3,500.00	☐	Private Club
☐	Growler License (In Conjunction with Retail Package Malt Beverage & Wine License)	\$200.00	☐	Wine & Craft Beer Boutique
☒	Retail Package Wine	\$100.00		
☐	Limited Pouring License Restaurant	\$500.00		
☐	Limited Pouring License Supper Club	\$3,000.00		
☐	Limited Pouring License Private Club	\$500.00		
☐	Alcohol Catering (In Conjunction with Limited Pouring License – Restaurant)	\$500.00		
☐	Wine Tasting (In Conjunction with Retail Package Wine License)	\$100.00		
☐	Wine & Craft Beer Boutique	\$500.00		
☐	Wholesale Dealer	\$500.00		

PART I

1. Name of Business:

QuikTrip #810

2. Full name and legal residence of the NAMED LICENSEE- (a) Individual (b) Principal Officer/Employer

John Tucker III 311 Onyx Drive, McDonough 30252
Full Name Address

- 3. Is the above address your legal and bona-fide place of domicile?** ☒ Yes ☐ No
If additional space is required, please attach to this application, noting the section to which it refers.

4. Address of business for which application is made:

650 Hwy 61, Villa Rica GA 30180

Phone Number: 770-459-0226
Business Home/cell/other

Mailing Address: PO Box 2927- Tulsa, OK 74101-2927

5. Type of Ownership:

☐ Individual

☐ Partnership

☒ Corporation

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

Full Name Address

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

QuikTrip Corporation

Name, Percent Interest and Legal Address of Principle Stockholders and Corporate Officers or Partners:

See attached list

Full Name	Address	% Interest
-----------	---------	------------

Full Name	Address	% Interest
-----------	---------	------------

Full Name	Address	% Interest
-----------	---------	------------

Describe the principal business of the Corporation/Partnership:

Convenience store with gasoline sales

6. Business Information:

Federal Tax ID Number: 73-0675375 GA Sales Tax Number: 301-299082

Business License Number: 1616

PART II

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

2. Have you obtained a copy of the City of Villa Rica Alcohol Beverage Ordinance?

☒ Yes ☐ No

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

3. Have you included with this application a check for the non-refundable application fee required by section 4-25 of the Alcohol Beverage Ordinance of the City of Villa Rica?

☒ Yes ☐ No

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

- ☐ A copy of the Deed to the premises to be licensed, if owned by applicant.
☐ A copy of the Lease Agreement covering the premises to be licensed, if leased by the applicant.
☐ In the case of a Partnership, a copy of the Partnership Agreement.
☒ In the case of a Corporation, a copy of the Articles of Incorporation.
☐ A current stamped certificate from a registered surveyor which shows a scale drawing of the premises and the location at which the applicant desires to operate an alcoholic beverage outlet and which shows, with linear foot measurements where appropriate, such location's compliance or non-compliance with the provisions of Chapter 4 of the Alcoholic Beverage Ordinance of the City of Villa Rica.

5. Have you confirmed with the City of Villa Rica Community Development Department that the location of the proposed outlet is in a zoning district approved for the sale of alcoholic beverages subject to the specific limitations of the respective district as provided for in Chapter 4 of the Alcoholic Beverage Ordinance of the City of Villa Rica?

☒ Yes ☐ No

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

☒ Yes ☐ No

7. If applicable, have you received an approved site plan from the City of Villa Rica for the location of the premises to be licensed? ☒ Yes ☐ No
8. If applicable, have you received a Carroll/Douglas County Health Department Food Service Permit and any other applicable local, state, or federal permits, etc. required for a food service establishment? ☒ Yes ☐ No
9. Do you comply with the requirements of Regulation 560-2-2-38 below? ☒ Yes ☐ No
Neither a retail dealer or retail consumption dealer, whether licensed in this State or not, nor any of his employees or members of such retail dealers or retail consumption dealer's immediate family shall have, own or enjoy any ownership interest in, or partnership arrangement or other business association with the business of any wholesaler, manufacturer, producer, shipper, importer or broker.
10. Has the named Licensee and all other persons otherwise required, submitted themselves to the City of Villa Rica Police Department for fingerprinting and background check(s) as provided for in Sec. 4-29 of the Alcoholic Beverage Ordinance of the City of Villa Rica? ☒ Yes ☐ No
11. Has the named Licensee, any Partner(s), the Corporation or any Corporate Officer been:
- Convicted within the last ten (10) years of any felony or any misdemeanor involving moral turpitude? ☐ Yes ☒ No
 - Any other misdemeanor within the past five (5) years? ☐ Yes ☒ No
 - Denied or had revoked, within the past five (5) years, any license to sell alcoholic beverages issued by any government entity? ☐ Yes ☒ No
 - Convicted of selling alcohol to a minor within the past three (3) years? ☐ Yes ☒ No

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

12. Has any alcoholic beverage business in which the named Licensee, Partner(s), the Corporation or Corporate Officers holds or has held any financial interest, or are

☐☐

employed, or have been employed, ever been cited for any violation of the rules and regulations of the State Revenue Commissioner or any local ordinance/legislation relating to the sale or distribution of alcoholic beverage? Yes No

If the answer to any portion of question 12 is "yes," describe in detail and give date and occurrences:

See attached alcohol violations

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

Marion County, Indiana
Place of Birth

03-12-1982
Date of Birth

REFERENCES

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

<u>Reggie Pope</u>	<u>700 Yukon Way</u>	<u>23 yrs</u>	<u>706 572 9003</u>
Name	Residence/Business Address	Years Known	Phone #

<u>Gemorial Johnson</u>	<u>135 Yeats CT</u>	<u>27 yrs</u>	<u>678-967-0102</u>
Name	Residence/Business Address	Years Known	Phone #

<u>Carlos Yairk</u>	<u>316 St. Ives Xing</u>	<u>25 yrs</u>	<u>404-514-7677</u>
Name	Residence/Business Address	Years Known	Phone #

PART III
VERIFICATION

State of Georgia, Gwinnett County

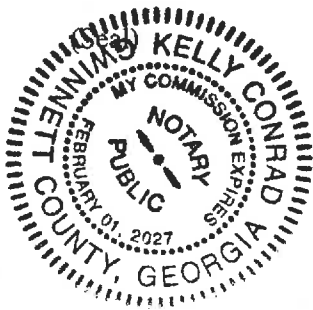
I, John Tucker III, Licensee, do solemnly swear subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application are true and no false or fraudulent statement or answer is made herein to procure the granting of such license.

John Tucker III
Applicants Signature (FULL NAME IN INK)

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

This 27 day of March, 20 25.

Kelly
Notary Public My Commission Expires: 2-1-2027



AFFP
LIQ LIC VR QUIK TRIP

Affidavit of Publication

STATE OF GEORGIA }
COUNTY OF DOUGLAS } SS

NOTICE OF APPLICATION FOR ALCOHOL BEVERAGE
(Packaged Beer and
Wine Licensing)

Rachael Raney, being duly sworn, says:

That she is Publisher of the Douglas County Sentinel, a newspaper of general circulation, printed and published in Douglasville, Douglas County, Georgia; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

April 01, 2025

QUIKTRIP CORPORATION C/O JOHN TUCKER III has filed an application to sell packaged alcoholic beverages (Beer and Wine) on premises of 650 HWY 61, VILLA RICA, GA 30180 as a CONVENIENCE STORE WITH GAS PUMPS. A public hearing on the application will be held on May 13, 2025 at 6:00 P.M. at the HOLT BISHOP JUSTICE CENTER, MUNICIPAL COURT ROOM, 101 MAIN STREET, VILLA RICA, GA. For additional information on this application contact the Licensing Specialist, Whitney Cox at (678)840-1224.
04/01

Publication Fees: \$ 54.00

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

SIGNED:

Subscribed to and sworn to me this 1st day of April 2025.



70135495 71197390

QUICK TRIP
650 HWY 61
VILLA RICA, GA 30180

AFFP

LIQ LIC VR QUIK TRIP

Affidavit of Publication

STATE OF GEORGIA }
COUNTY OF CARROLL } SS

NOTICE OF APPLICATION FOR ALCOHOL BEVERAGE
(Packaged Beer and
Wine Licensing)

QUIKTRIP CORPORATION C/O JOHN TUCKER III has filed an application to sell packaged alcoholic beverages (Beer and Wine) on premises of 650 HWY 61, VILLA RICA, GA 30180 as a CONVENIENCE STORE WITH GAS PUMPS. A public hearing on the application will be held on May 13, 2025 at 6:00 P.M. at the HOLT BISHOP JUSTICE CENTER, MUNICIPAL COURT ROOM, 101 MAIN STREET, VILLA RICA, GA. For additional information on this application contact the Licensing Specialist, Whitney Cox at (678)840-1224
04/01

Rachael Raney, being duly sworn, says:

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

April 01, 2025

Publication Fees: \$ 54.00

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

SIGNED:

Subscribed to and sworn to me this 1st day of April 2025.



70135495 71197390

QUICK TRIP
650 HWY 61
VILLA RICA, GA 30180



City of Villa Rica
Sample Public Notice and Advertisement

The following language for both the public notice (sign) and public advertisement will meet the requirements of this section.

QuikTrip Corporation c/o John Tucker III has filed an application
Individual, Corporation or Partnership applying for a license. If Corporation or Partnership, also list Licensee.
to sell alcoholic beverages on the premises 650 Hwy 61, Villa Rica, GA 30180
as a retail beer and wine license
Type of Outlet Type of License

A public hearing on the application will be held on May 13th, 2025
at 6 a.m. p.m. at the Holt-Bishop Justice Center, Municipal Court Room,
101 Main Street, Villa Rica, Georgia. For additional information on this application, contact the
Licensing Specialist, Whitney Cox at (678) 840-1224.

Prior to the date of the hearing, you must furnish to the Community Development Department a copy of the advertisement and a sworn statement as to the size of, location of and information on the public notice (sign). An acceptable example of a sworn statement is attached.

Carroll County, GA

Assessment Notices

2024 Assessment Notice (PDF)

Summary

Parcel Number	V07 0100163
Location Address	650 61 HWY
Legal Description	QUIKTRIP/2.04AC HWY 61 V37 VR37
	(Note: Not to be used on legal documents)
Class	C3-Commercial
	(Note: This is for tax purposes only. Not to be used for zoning.)
Tax District	VILLA RICA (District 03)
Millage Rate	31.33
Acres	2.04
Homestead Exemption	No (50)
Landlot/District	131 / 6
Water	Public
Sewer	Public Sewer
Electric	Electricity
Gas	Pipe Gas
Topography	Level
Drainage	Good
Road Class	City
Parcel Road Access	Paved

[View Map](#)

Owner

ROSKO LLC
C/O QUIKTRIP CORP
ATT TAX DEPT
P O BOX 3475
TULSA, OK 74101-3475

Tax Commissioner Link

[Click here for tax information.](#)

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	Comm-Route 61/Hickory	Acres	88,862	0	0	2.04	1

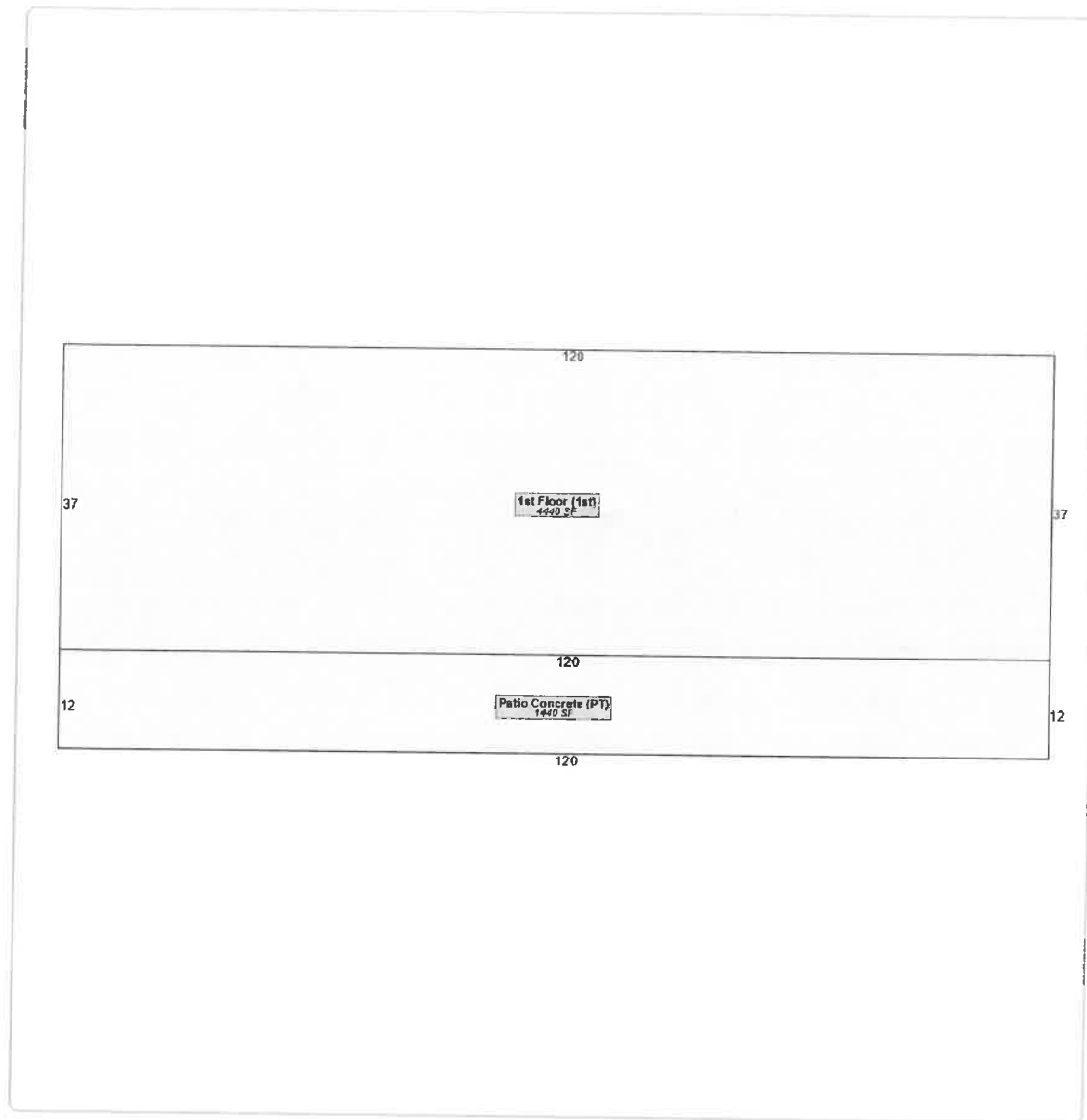
Commercial Improvement Information

Description	Retail-Convenience Store-A
Value	\$787,717
Actual Year Built	2001
Effective Year Built	2006
Square Feet	4440
Wall Height	12
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	Recessed F.F.
Heating	
Number of Buildings	1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Paving: Concrete	2001	0x0 / 56000	0	\$93,731
Comm: Canopy - Gas	2001	62x191 / 0	0	\$247,759
Comm: Site Value - B	2001	0x0 / 1	1	\$20,000





No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Mobile Homes, Prebill Mobile Homes.

The Carroll County Tax Assessor's makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem purposes.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)

Last Data Upload: 5/2/2025, 6:02:30 PM

[Contact Us](#)

Developed by
SCHNEIDER
GEOSPATIAL



Public Hearing Date
City Council: May 13, 2025

Request: Alcoholic Beverage License

Project Description: Retail Package Malt Beverages & Wine

Applicant: QuikTrip Corporation
Licensee: John Tucker III
311 Onyx Dr.
McDonough, GA 30252

Location: 650 Hwy. 61, Landlot 131, 6th District; Carroll Co., Ward 2

Parcel Number(s): V07 0100163

Current Zoning: C2 (Commercial Medium Density)

Current Land Use: Commercial

Location and Zoning Requirements:

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

Sec. 4-69. Zoning Restriction

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

The subject property is zoned C2 (Commercial Medium Density).

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- (a) No premises shall be licensed under this chapter whose location is within the following distances:*
- (1) For the sale of any wine or malt beverage, within 300 feet of any church building, school building, school grounds, or college campus.*
Compliance: Yes
 - (2) For the sale of any distilled spirits, within 300 feet of any church building and within 600 feet of any school building, educational building, school grounds, or college campus.*
Compliance: Yes
 - (3) For the sale of any distilled spirits, wine, malt beverage, within 300 feet of an alcoholic treatment center owned and operated by the State of Georgia or any county or municipal government therein.*
Compliance: Yes
 - (4) For the sale of any alcoholic beverage for consumption on the premises, within 300 feet of any housing authority property.*

Compliance: Yes

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

Compliance: Yes

Sec. 4-29 Investigation; Hearing:

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

Public Response:

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

Staff Comments:

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

Recommendation:

Staff recommends **approval** of the request by QuikTrip Corporation and John Tucker III for the alcohol license to sell retail package malt beverages & wine at 650 Hwy 61.



Whitney Cox
Licensing Specialist

Attachments:

1. Application
2. Affidavit of Publication
3. Commercial Lease/Proof of Ownership



CITY OF VILLA RICA

City Council Agenda Item Cover Sheet

SUBJECT: Rezoning and annexation for Hwy 61 and South Van Wert-Avemore PUD (RA-01-25) (ANX-01 & 2-25)

AGENDA DATE: 5/13/2025

DATE PREPARED: 4/24/2025

PREPARED BY: Community Development Department

PUBLIC HEARING: Yes

PURPOSE:

The applicant, Avemore GA LLC, seeks an annexation and rezoning for Parcel ID 168 0090 (Hickory Level Road) and Parcel ID 169 0120 (2664 South Van Wert Road), as with the amended survey to reflect a parcel split for the residence on the property to remain within Carroll County. The applicant seeks the rezoning with the annexation from Carroll County Zoning Designation Conservation and Agricultural to a Planned Unit Development (PUD), to include an expansion of the PUD for permitted uses as identified in the Technology Park Overlay District.

BACKGROUND:

The City Council approved the Avemore project at 55 and 63 Goldworth Road in 2018 with a total of 200 single-family units, 300 multi-family units and live/work units, along with a host of other uses, including senior housing, which includes independent living, memory care and a minimum age restriction of fifty-five (55) years. In 2020, the city increased the total number of single-family lots to no more than 250 units, and the multi-family units to a maximum of 325 units. In 2021, the City Council approved an additional 290 units of senior housing with a minimum age of fifty-five (55) years. The applicant returned each year to extend their zoning approvals for another year as specified in the original and subsequent conditions placed on the conditionally approved project.

In September 2024, the applicant filed an extension to the previously approved PUD and sought to extend and alter the PUD to include Light Industrial (I1) (ALT-01-24). The application was denied by Planning and Zoning Commission and the applicant was instructed to file a new application that would effectively remove the previously approved housing units and mixed-use components. The new PUD would change the use to Medium Industrial (I2). The applicant withdrew his application and filed a new application.

In January 2025, city staff introduced a proposal for a new Technology Park Overlay District (TPOD) Zoning District, outlined in Section 4.18. This zoning district specifies permitted uses and development standards for projects akin to the one proposed by the applicant, Avemore GA, LLC.

Following this process, the applicant filed two requests for annexation (ANX-01 & 02-25) and a rezoning application from Carroll County Agricultural and Conservation Use to PUD as expanded with additional permitted uses being considered simultaneously as a text amendment for a Technology Park Overlay District (TPOD).

These items were presented to the Joint Review Committee during the March meeting. The committee includes representatives from Carroll County, County Schools, and the City of Villa Rica, reviewed the items and provided positive feedback and support.

PLANNING AND ZONING COMMISSION'S RECOMMENDATION: APPROVAL (4-0)

PLANNING AND ZONING COMMISSION'S RECOMMENDED CONDITIONS:

1. A 200-foot buffer between residential properties or properties containing residences.
2. A 300-foot buffer between ground equipment (such as generators, noise-emitting devices, and cooling systems), unless screened by the data center buildings.
3. Structures must be built at least two feet above the base flood elevation for the property.
4. A traffic study must be conducted by the applicant.

STAFF RECOMMENDATION: APPROVAL w/ Conditions

REASONS:

1. Based on the City's Comprehensive Plan Development Patterns (DP) and Social and Economic Development (SED), the applicant's request to rezone the parcel from PUD to PUD-Industrial (TPOD) is supported.
2. (TPOD) will provide the highest and best use of the land, without overburdening city schools, roads, and infrastructure.
3. The rezoning facilitates the transformation of a vacant, underutilized parcel into a valuable asset for the city while promoting opportunities for additional development along the Highway 61 corridor.
4. No objections were received from Carroll County.

STAFF RECOMMENDED CONDITIONS:

1. Water Utilization, Sewer Capacity, and Conveyance are to be agreed upon with the City in the form of a Development Agreement.
2. Residential components of the PUD must be removed, and all affected properties must adhere to TPOD development standards and permitted uses.

3. A minimum 100-foot buffer yard shall separate subject properties from all residential zoning districts.

MOTION:

- I move to approve the rezoning request for Parcel ID 168 0090 (Hickory Level Road) and Parcel ID 169 0120 (2664 South Van Wert Road) from Agriculture and Conservation to PUD, with the expansion of the PUD to include the provisions of principally permitted uses included within the Section 4.18 Technology Park Overlay District and with the recommended conditions.
- I move to approve the annexation requests for Parcel ID 168 0090 (Hickory Level Road) and Parcel ID 169 0120 (2664 South Van Wert Road) and recommended parcel split of Parcel ID 169 0120 (2664 South Van Wert Road) which will allow the residence identified in the amended survey to remain within Carroll County.



May 13, 2025

Planning Report

AVEMORE GA LLC

RA-01-25

Highway 61, Hickory Level Road, & South Van Wert Road

Land Lot: 92, 93, 98, 99, 100, 101, 125 District 6

Parcel #: V07 014003, V07 014004, V07 0140151, 168 0090, 169 0120

Ward: 2

City Council Member: Matthew Momtahan

Planning Board Member: Julie Cepin

City of Villa Rica/Carroll County

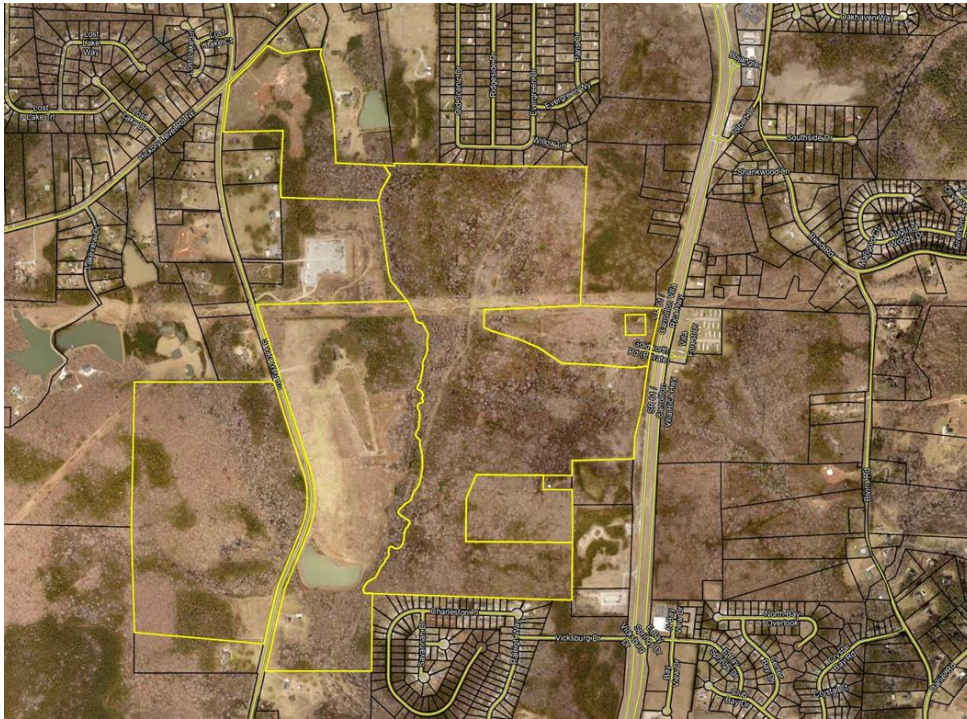


Figure 1: Carroll County GIS image of the site, with the property boundaries approximated.

Applicant : Avemore Ga LLC

Parcel IDs : V07 0140003, V07 0140004,
V07 0140151, 169 0120, 168 0090

Item(s): RA-01-25, ANX-01-25, ANX-02-25

Dear Ms. Campbell:

AVEMORE GA LLC (the Applicant) seeks an annexation and rezoning from Carroll County Conservation/Agricultural Zoning and Villa Rica (PUD) zone to the Technology Park Overlay District (TPOD). The Applicant has not requested any variances.

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

1. Application Checklist and dated March 21, 2025 (1 page);
2. Zoning Map Amendment (Rezoning) Application, dated March 21, 2025 (2 pages);
3. Petition Requesting Annexation Application (Parcel # 169 0120), dated March 21, 2025 (2 pages);
4. Petition Requesting Annexation Application (Parcel # 169 0090), dated March 20, 2025 (2 pages);
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8. Survey Packet by ALTA – NPSP Land Title Survey, dated December 16, 2024 (8 pages);
9. Property Owner Document, Undated (1 page);
10. Properties Deed Packet (35 pages);

A. Existing Conditions

According to the applicant's land survey, the combined acreage of the subject properties totals approximately 428.288 acres. The parcel identified as (V07 014004), owned by Avemore, LLC, is currently zoned as Planned Unit Development (PUD) and is situated west of Highway 61.

Parcel Breakdown:

- **Tract 1:** 1.012 acres (Parcel # V07 014004)
- **Tract 2:** 186.791 acres (Parcel # V07 014004)
- **Tract 3:** 16.296 acres (Parcel # V07 0140151)

As outlined in the applicant's Petition Requesting Annexation, the 182.46-acre portion of the property located on South Van Wert Road (Parcel #169 0120) is currently zoned A-5 (Agricultural) under Carroll County jurisdiction. The property consists primarily of undeveloped land, a pond, and a residence situated on the larger of the two portions. To accommodate annexation while retaining the existing residential structure, the applicant has submitted a supplemental survey proposing a parcel split, which would allow the residence to remain within Carroll County jurisdiction.

Geographically, the property adjoins Charston Place subdivision to the southeast. To the south and west, it borders large parcels of undeveloped land and single-family homes. The property is adjacent to unincorporated Carroll County on three sides: to the west across Van Wert Road, to the north along Van Wert Road, and to the east across Highway 61.

Additionally, the applicant's Petition Requesting Annexation includes a 32.06-acre parcel located at the intersection of Hickory Level Road and South Van Wert Road (Parcel #168 0090). This parcel is currently zoned V-5 (Conservation Use) under Carroll County and primarily consists of undeveloped land.

The subject properties are surrounded by low-density residential uses on the north, east, and west sides. The property is also adjacent to an electric substation to the south and a residential subdivision to the east, across Highway 61.

Surrounding Properties:

Parcel # 1680090		
	Current Zoning	Land Use
North	Residential / Unincorporated (Carroll County)	Suburban and Undeveloped Properties
East	Residential (Carroll County)	Suburban Properties
South	Carroll EMC Substation Unincorporated (Carroll County)	County
West	Agricultural (A) - County	Undeveloped– County

Parcel # 1690120		
Current Zoning		Land Use
North	Carroll EMC Substation Unincorporated (Carroll County)	County
East	Agricultural (A) – County Planned Unit Development (PUD)	Undeveloped– County Suburban Village
South	Residential / Unincorporated (Carroll County)	Undeveloped– County
West	Agricultural (A) - County	Undeveloped– County

B. Site History

In 2018, the City Council approved the Avemore project at 55 and 63 Goldworth Road. The original approval included a total of 200 single-family units, 300 multi-family units, live/work units, and additional uses, such as senior housing, which encompassed independent living, memory care, and a minimum age restriction of fifty-five (55) years. A Development of Regional Impact (DRI) study was completed, and the Three Rivers Commission commented regarding the Williams Family Farm.

In 2020, the City Council authorized an amendment to increase the total number of single-family lots to no more than 250 units and to expand the multi-family units to a maximum of 325 units. Subsequently, in 2021, the Council approved an additional 290 units of senior housing, maintaining the age restriction of fifty-five (55) years. The applicant has consistently sought annual extensions of their zoning approvals in accordance with the original and modified conditions tied to the project's conditional approval.

In September 2024, the applicant submitted a request to extend the previously approved Planned Unit Development (PUD) and proposed an amendment to incorporate Light Industrial (I1) zoning (ALT-01-24). This application was denied by the Planning and Zoning Commission, with the recommendation that the applicant file a new application. The revised application would effectively remove the previously approved housing units and mixed-use components and reconfigure the PUD to reflect Medium Industrial (I2) zoning. Following this guidance, the initial application was withdrawn, and a new application was subsequently filed.

In January 2025, city staff introduced a proposal for a new Technology Park Overlay District (TPOD) Zoning District, outlined in Section 4.18. This zoning district specifies permitted uses and development standards for projects akin to the one proposed by the applicant, Avemore GA, LLC.

Proposed uses within the Technology Park Overlay District include, but are not limited to:

- Corporate campuses with administrative operations
- Technology parks with electrical substations
- Research and development facilities

- Data processing and other computer-based operations

In January 2025, the City Council approved the addition of the TPOD section to the city's ordinance by a 4-1 vote.

In March, the Joint Review Committee, which includes representatives from Carroll County, County Schools, and the City of Villa Rica, reviewed the items and provided positive feedback and support.

C. Proposed Development

The applicant seeks annexation and rezoning approval to transition the property from Agricultural and Conservation zoning to an expanded Planned Unit Development (PUD), incorporating the Technology Park Overlay District (TPOD). The subject property spans a total of 428.288 acres and is located along Highway 61 and South Van Wert Road. The proposed development is envisioned to support uses such as a technology park or corporate campus with ancillary facilities.

See Table 2 below for yard and bulk requirements in the (TPOD) Technology Park Overlay District:

TABLE 2 - BULK REQUIREMENTS – INDUSTRIAL, MEDIUM DENSITY ZONE DISTRICT			
	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	5	428.288	C
Minimum Lot Width (ft)	150	Unknown	C
Minimum Lot Frontage (ft)	50	Unknown	C
Minimum Rear Yard Setback (ft)	50	Unknown	Unknown
Minimum Side Yard Setback (ft)	50	Unknown	Unknown
Maximum Building Coverage (%)	60	Unknown	Unknown
Maximum Building Height (ft)	60	Unknown	Unknown
Maximum Impervious Coverage (%)	80	Unknown	C

The project's plans for accessing water and sewer utilities remain uncertain, including whether connections can be feasibly established and whether sufficient capacity and distribution infrastructure are available. The applicant has been actively collaborating with city and county officials to explore viable solutions, aiming to minimize any potential impact on the existing infrastructure and its capacity.

Design Standards

The city has established design standards applicable to developments within the Technology Park Overlay District (TPOD). These include the recently amended standards outlined in Section 4.18, as well as the non-residential design standards specified in Section 9.04 of the Zoning Ordinance. The applicant will be required to comply with these standards during the architectural review process.

Amenities/Open Space

The developer must provide a calculation of the current open space relative to the total acreage of the property, as required by the Technology Park Overlay District (TPOD) standards outlined in Section 4.18 and the Open Space requirements specified in the Development Standards under Section 7.13. The ordinance defines the criteria for qualifying and non-qualifying open space, as detailed below:

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

Offsite Improvements

No off-site improvements are proposed along Highway 61, including acceleration and deceleration lanes.

Density

N/A

Flood Plain

Bay Springs Creek runs through the subject properties. Based on an analysis using the National Flood Hazard Layer FIRMette software, portions of the property near South Van Wert Road are in proximity to a Floodplain A zone; however, the majority of the property

Parcel IDs : V07 0140003, V07 0140004,
V07 0140151, 169 0120, 168 0090

Item(s): RA-01-25, ANX-01-25, ANX-02-25

does not fall within this designation. Without a submitted Conceptual Site Plan, it remains uncertain whether the applicant intends to propose any creek infill. Additionally, it is unclear whether all buildings will comply with buffer requirements from the pond. Any proposed creek infill may require variances and will be subject to extensive review and approval by the Environmental Protection Division (EPD) and the City Engineer. Figure 2 below illustrates the flood zone map for the property.

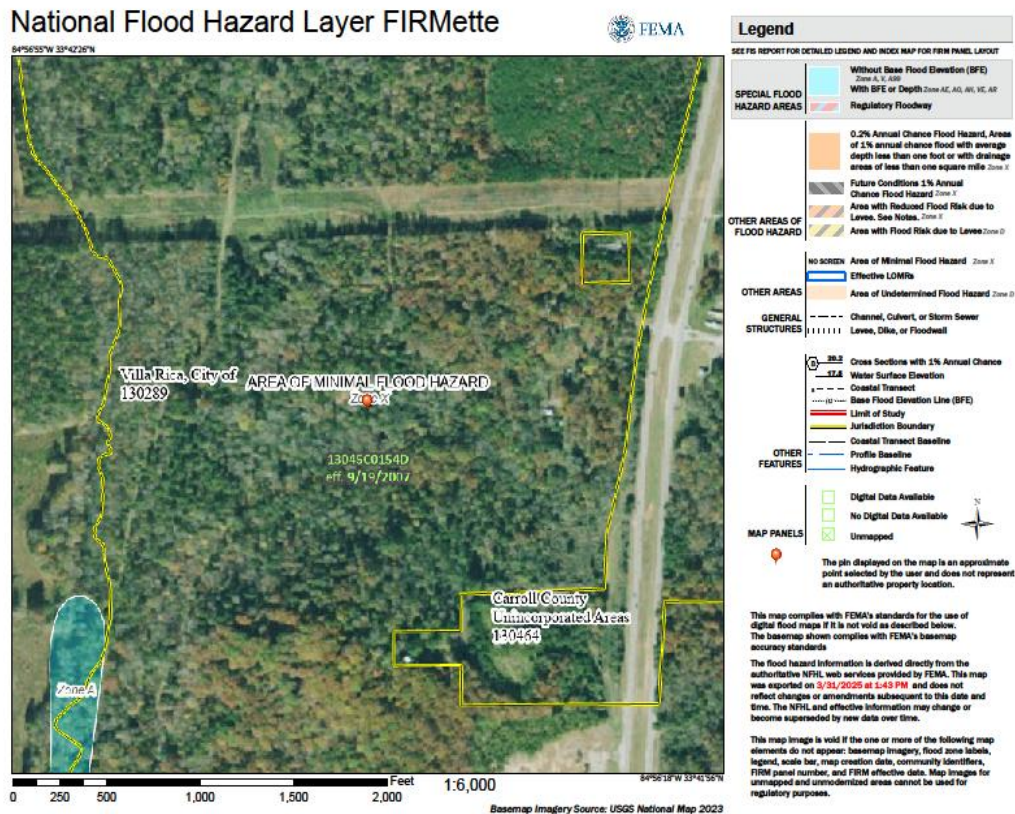


Figure 2: National Flood Hazard Layer FIRM Map

Buffering/Screening/Tree Conservation:

The applicant is required to submit a landscaping plan at the time of Final Plat submittal. In accordance with Section 7.05(6) of the Zoning Ordinance, a twenty (20)-foot-wide landscaped area must be provided adjacent to the road or right-of-way. This area must be designated as a “common area” or placed within a landscape easement. Additionally, several shrubs and trees are required to be planted within this area.

The following standards apply:

- At least one (1) tree must be planted for every thirty (30) linear feet of landscaped area. Trees may include a combination of deciduous and evergreen species.

Parcel IDs : V07 0140003, V07 0140004,
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Item(s): RA-01-25, ANX-01-25, ANX-02-25

- A minimum of one (1) shrub must be planted every three (3) feet to create a continuous screen. This screen must reach a minimum height of thirty-six (36) inches within two (2) years of planting.

The Technology Park Overlay District (TPOD), as outlined in Section 4.18, includes additional landscaping and buffer requirements that the applicant must adhere to during the development process.

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 the parcel as “Suburban Village” as the future land use character area. The intent of the Suburban Village with a Character Area of Suburban Village 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 Suburban Village character area is designed to establish development nodes in locations with potential for future growth, focusing on community crossroads as central hubs. The development principles emphasize generally low to moderate density with concentrated neighborhood commercial uses oriented around intersections and community crossroads. In more rural areas, lower density is prioritized.

Transportation design principles highlight internal connectivity for vehicular, pedestrian, and bicycle traffic within residential areas, while the road network should ensure effective linkage to surrounding areas.

General Characteristics: Suburban Villages are defined by clustered commercial development centered around prominent road intersections, known as Community Crossroads. These areas include nearby residential neighborhoods, which are suburban in nature. The development pattern is typically compact, featuring either stand-alone businesses or small groups of businesses within a site. In more rural and suburban locations, individual businesses often occupy singular properties.

The Future Land Use Map designates the surrounding area with categories such as Commercial, Public/Institutional, and Medium Density Residential.

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

The lots are currently vacant, with no active uses and a single small structure. The overall character of the site reflects that of a typical vacant, undeveloped lot, bordered by agricultural properties. The character of the Agricultural (AG) zone is defined by single-family homes on large lots of at least ½ acre.

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

Based on the Comprehensive Plan and the overall character of the surrounding area, the proposed development represents the most desirable use for the property. The current use of the site as vacant land does not align with its highest and best use, given the size of the acreage and the recommendations outlined in the Comprehensive Plan. Development as a Technology Park Overlay District (TPOD) along the highway is considered desirable from both a planning and infrastructure perspective, as well as being comparatively less impactful on local schools and traffic.

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

The proposed development is anticipated to have a nominal impact on property values for the surrounding areas.

v. Responsible development and growth

The southwestern portion of the city is anticipated to experience substantial residential and commercial growth in both the near and long-term future. The proposed development is expected to generate less vehicular and personal traffic compared to the originally approved multi-use Planned Unit Development (PUD).

However, the applicant has not outlined any plans for roadway improvements, making it difficult to evaluate the adequacy of the current road network or the potential impact of enhancements.

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 proposed use is unique within the city and differs from the uses on adjacent and nearby properties. Highway 61 has experienced significant residential development both within and beyond the city limits. The size of the parcel and its extensive frontage along Highway 61 make it a prime candidate for future commercial or potentially residential development in the area.

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

The proposed use is not anticipated to negatively impact the existing uses or the usability of adjacent properties or structures. The development must comply with buffer requirements for dissimilar adjacent uses, with additional buffering required for areas directly adjoining residential properties.

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

The property currently does not have reasonable economic use as currently zoned and is not the highest and best use of land, given the acreage and Comprehensive Plan designations for appropriate zoning. The proposed rezoning would be less impactful on local schools and traffic than the original PUD which proposed approximately 850 mixed residential units. Due to the size and location of the parcel, along with development pressures along the Highway 61 corridor, the rezoning to (TPOD) would give the parcel an economic advantage for providing further development but increase utility demand in an area of the city with distribution challenges.

The property's currently undeveloped use is not reasonable economically. It does not represent the highest and best use of the land, given the parcel's size and the Comprehensive Plan's recommendations for appropriate zoning. Rezoning to the Technology Park Overlay District (TPOD) would align with the area's development utilities pressures along the Highway 61 corridor, providing the parcel with greater economic viability. Additionally, the rezoning is projected to have less impact on local schools and traffic compared to the previously approved PUD, which proposed approximately 850 mixed residential units. However, the rezoning would place increased demand on utility infrastructure in an area with existing distribution challenges.

iv. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

There is potential for excessive usage of city infrastructure, particularly regarding sewer capacity along Highway 61. The city has faced increasing challenges in providing adequate sewer collection capacity for developments along and surrounding Highway 61, which may complicate the feasibility of future projects. Significant sewer conveyance limitations have been identified in the Highway 61-South watershed. Investigations indicate that any future development in this area would require the construction of a regional lift station and conveyance system along South Van Wert Road extending beyond Interstate 20. Such a lift station would address current conveyance limitations and support future projects within the watershed.

Some preliminary discussions between the developer and the city have occurred regarding the location and planning of the lift station and conveyance system. However, no concept plan has been submitted to the city for traffic improvements along Highway 61. Potential impacts on traffic along Highway 61 and South Van Wert Road must be studied and reviewed by the City Engineer during the final plat approval process.

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

The proposed rezoning is not fully aligned with the Comprehensive Plan, which designates the Suburban Village character area and prioritizes commercial and residential zoning. While the proposal diverges from the prescribed intent of this character area, it offers relief from the demand associated with hundreds of housing units, making the requested zoning change from PUD to TPOD preferable from a planning perspective. Incorporating industrial-like uses near both agricultural and residential zones aligns with the existing development patterns observed in the City's outer areas, such as the Industrial Parks in the Northwest and Central Eastern sections of the City. The Technology Park Overlay District (TPOD), as outlined in Section 4.18, specifies the allowable uses for this zoning designation.

vi. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The availability of sewer and water capacity for the proposed TPOD would affect the developability of the parcel for the intended use. Poor capacity may hamper the ability to construct the proposed concept.

E. Comments

1. A Landscape Plan, Open Space Plan, and other details, as required, should be submitted to the City Engineer for review prior to Final Plat approval.
2. The applicant should provide testimony to the off-site improvements proposed.

3. The applicant will assist with wastewater improvements in the areas of conveyance and capacity in the form of a Development Agreement.
4. The applicant will not request any additional residential units with the annexation and expanded PUD to include light industrial.

During the Planning & Zoning (P&Z) meeting on April 15, 2025, several key points and concerns were raised:

Floodplain Analysis: Commissioner Newton inquired about whether a floodplain analysis would be conducted. It was clarified that this analysis would take place during the development process prior to permitting.

Roadway Infrastructure and Traffic Study: Commissioner Morales raised questions about the proposed roadway infrastructure and requested a traffic study for the site. Commissioner Morales also brought up concerns from citizens regarding water usage.

Site Plan, Utility Impact, and Traffic Analysis: Commissioner Vines expressed concerns about the proposed development not including a site plan, an impact survey on utilities, and a traffic analysis study for the Planning Commission and City Council to review. Commissioner Vines also inquired about whether there was a greywater infrastructure plan in place, given that developments of this type tend to place significant strain on water resources. The applicant responded that greywater solutions could be considered through further study.

Applicant's Comments: The applicant stated that the proposed data center would generate minimal traffic compared to the originally approved mixed-use development. They also addressed concerns about noise, emphasizing that modern technology parks produce significantly less noise than earlier generations of data centers. Additionally, the applicant noted that data parks contribute substantial revenue to the city through property taxes, ad valorem taxes, and franchise fees.

Citizen Concerns: Multiple citizens voiced concerns regarding traffic, water, utilities, and infrastructure related to the development of a data center. Some residents expressed that placing such a development within a suburban mixed-use area isn't beneficial. Others emphasized the need for more information, including expected water and power usage, and a site plan for public review.

Future Growth and Infrastructure Considerations: Commissioner Morales discussed the city's anticipated population growth and the importance of making informed decisions to accommodate the influx of new residents. School system representatives noted that schools are projected to reach capacity in the future due to the expected population increase. The alternative to developing a data center would be constructing multifamily and single-family residential units on these parcels,

without infrastructure upgrades to the Highway 61 South portion of the city. The Planning and Zoning Commission unanimously approved the items with recommended conditions.

The Planning & Zoning Commission proposed additional conditions to be included along with the staff-recommended conditions:

P&Z Commissioners' Additional/Alternative Conditions:

1. A 200-foot buffer between residential properties or properties containing residences.
2. A 300-foot buffer between ground equipment (such as generators, noise-emitting devices, and cooling systems), unless screened by the data center buildings.
3. Structures must be built at least two feet above the base flood elevation for the property.
4. The applicant must conduct a traffic study.

G. Supported by Comprehensive Plan Sections:

Development Patterns (DP):

DP Goal 1: Maintain small-town character and cultural identity while supporting growth

DP Strategy 1.2: Ensure non-residential development in Village areas indicated on the Future Development Map is compatible with existing character and scale of the surrounding area.

DP Goal 6: Promote quality corridor development

DP Strategy 6.1: Evaluate need to develop design standards for corridor development to help mitigate traffic mobility issues in high traffic areas and to ensure that new development/ redevelopment is designed to be compatible with the function of the corridors.

Social and Economic Development (SED): Create employment opportunities within the city and expand business diversity.

- SED Strategy 3.2: Promote high quality Employment Centers (Industrial, Commercial, Office, Gateway) through enforcing development regulations related to building and site design and buffer and landscaping requirements, in accordance with the Future Development Guide.
- SED Strategy 3.3: Identify and promote opportunities for higher-paying jobs and small business.

- SED Strategy 3.4: Identify opportunities to accommodate expansion of industrial real estate (including infill development), where appropriately located.
- SED Strategy 3.5: Pursue annexation opportunities within a general Urban Growth Area as depicted on the Future Development Map, based on the determination of economic feasibility/benefit.

H. Recommendations:

Staff recommendation: **APPROVAL w/ Conditions**

Staff recommendation Conditions:

1. Water Utilization, Sewer Capacity, and Conveyance are to be agreed upon with the City in the form of a Development Agreement.
2. Residential components of the PUD must be removed, and all affected properties must adhere to TPOD development standards and permitted uses.
3. A minimum 100-foot buffer yard shall separate subject properties from all residential zoning districts.

Reasons:

1. Based on the City's Comprehensive Plan Development Patterns (DP) and Social and Economic Development (SED), the applicant's request to rezone the parcel from PUD to PUD-Industrial (TPOD) is supported.
2. (TPOD) will provide the highest and best use of the land, without overburdening city schools, roads, and infrastructure.
3. The rezoning facilitates the transformation of a vacant, underutilized parcel into a valuable asset for the city while promoting opportunities for additional development along the Highway 61 corridor.
4. No objections were received from Carroll County.

Planning and Zoning Commission's recommendation: APPROVAL (4-0)

Planning and Zoning Commission recommends conditions:

1. A 200-foot buffer between residential properties or properties containing residences.
2. A 300-foot buffer between ground equipment (such as generators, noise-emitting devices, and cooling systems), unless screened by the data center buildings.
3. Structures must be built at least two feet above the base flood elevation for the property.
4. The applicant must conduct a traffic study.

Applicant : Avemore Ga LLC

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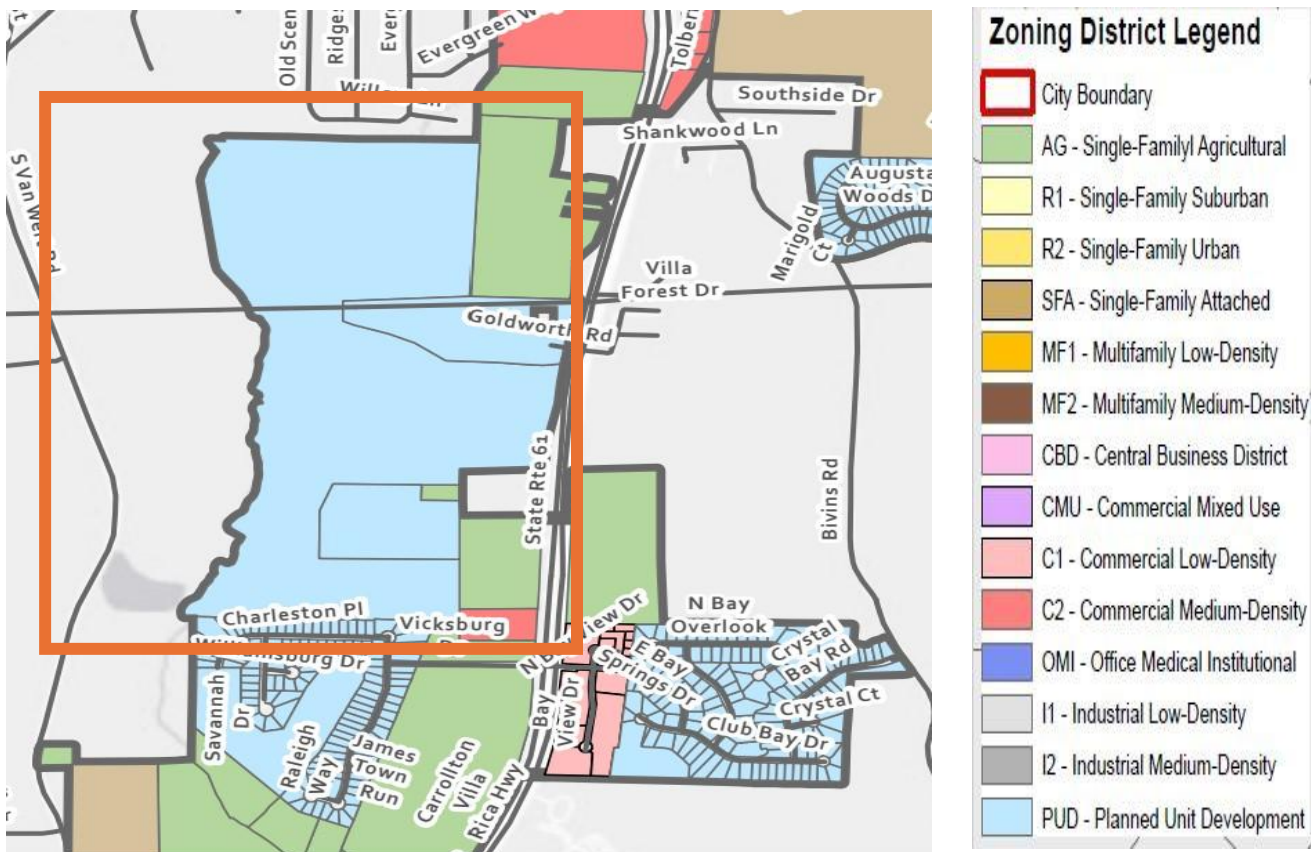
Public Notifications:

As required by *Section 11.05* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on March 24, 2025; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

Letters of opposition to the applicant's request were submitted to the Community Development Department.

Villa Rica Zoning Map:

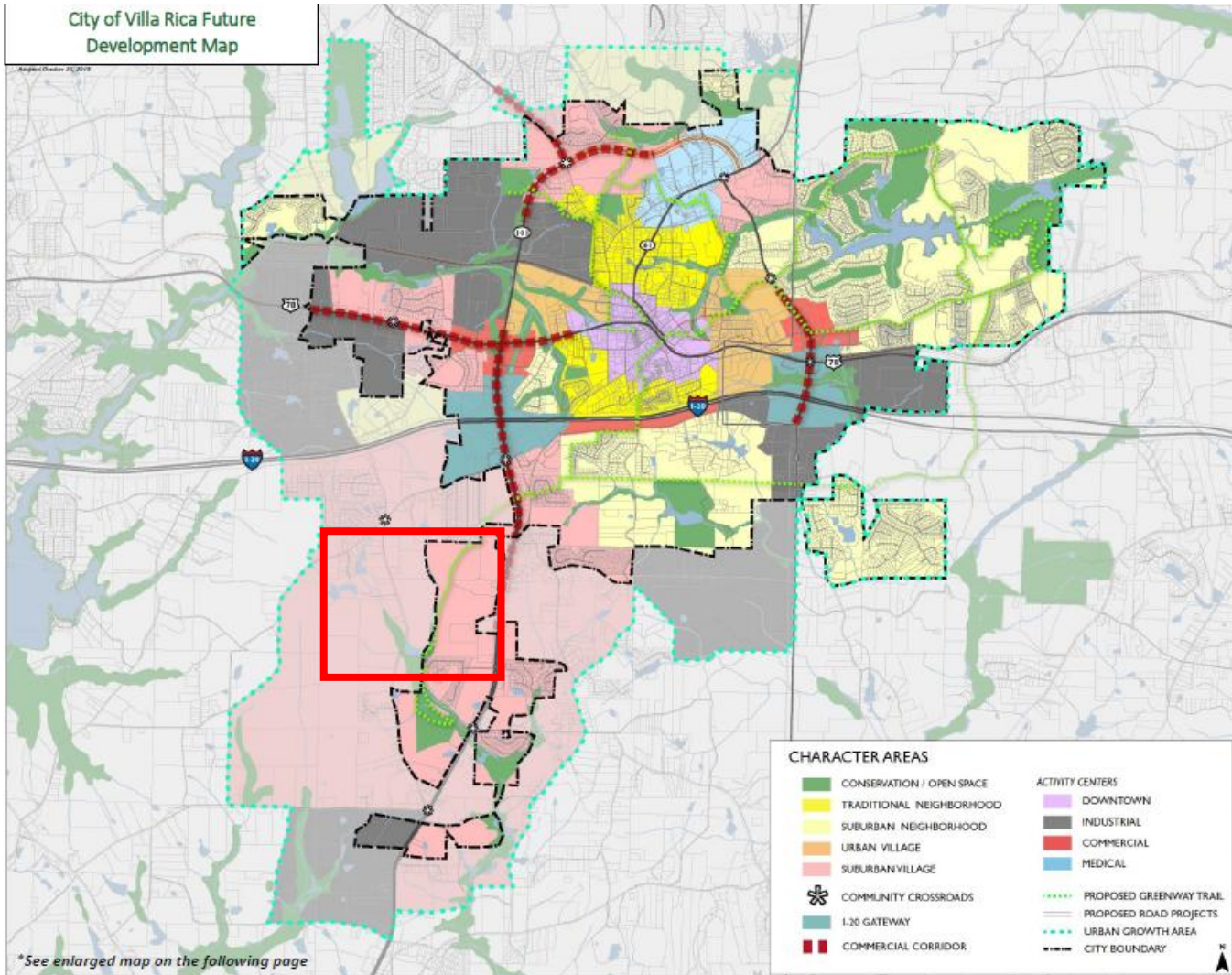


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Item(s): RA-01-25, ANX-01-25, ANX-02-25

Villa Rica Future Land Use Map:





May 13, 2025

Planning Report

AVEMORE GA LLC

ANX-01-25 ANX-02-25

Highway 61, Hickory Level Road, & South Van Wert Road

Land Lot: 92, 93, 98, 99, 100, 101, 125 District 6

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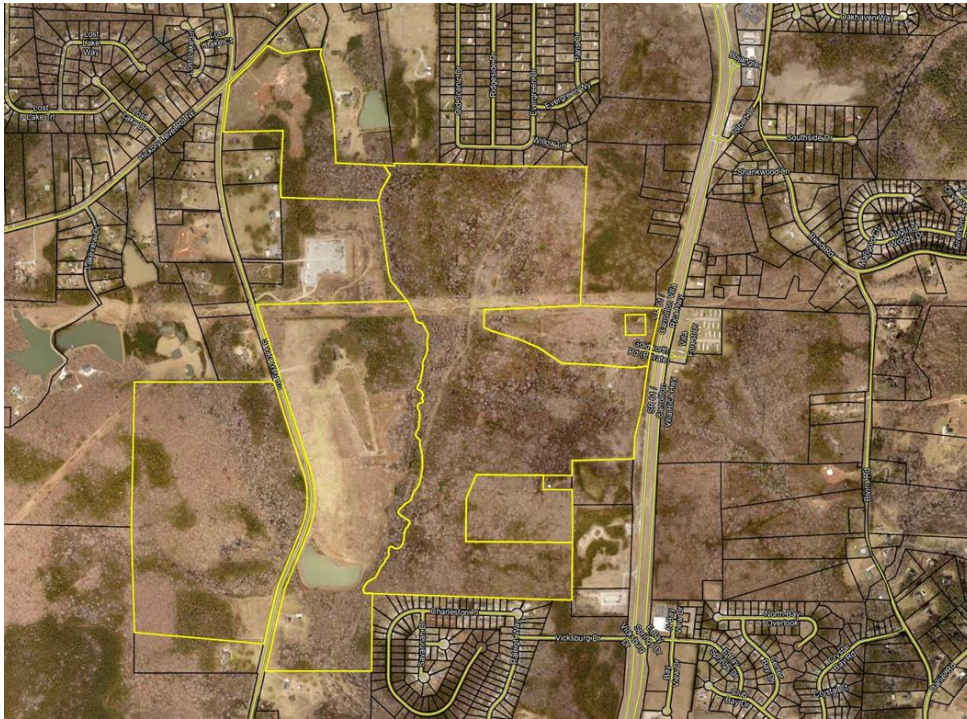


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Geographically, the property adjoins Charston Place subdivision to the southeast. To the south and west, it borders large parcels of undeveloped land and single-family homes. The property is adjacent to unincorporated Carroll County on three sides: to the west across Van Wert Road, to the north along Van Wert Road, and to the east across Highway 61.

Additionally, the applicant's Petition Requesting Annexation includes a 32.06-acre parcel located at the intersection of Hickory Level Road and South Van Wert Road (Parcel #168 0090). This parcel is currently zoned V-5 (Conservation Use) under Carroll County and primarily consists of undeveloped land.

The subject properties are surrounded by low-density residential uses on the north, east, and west sides. The property is also adjacent to an electric substation to the south and a residential subdivision to the east, across Highway 61.

Surrounding Properties:

Parcel # 1680090		
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East	Residential (Carroll County)	Suburban Properties
South	Carroll EMC Substation Unincorporated (Carroll County)	County
West	Agricultural (A) - County	Undeveloped– County

Parcel # 1690120		
Current Zoning		Land Use
North	Carroll EMC Substation Unincorporated (Carroll County)	County
East	Agricultural (A) – County Planned Unit Development (PUD)	Undeveloped– County Suburban Village
South	Residential / Unincorporated (Carroll County)	Undeveloped– County
West	Agricultural (A) - County	Undeveloped– County

B. Site History

In 2018, the City Council approved the Avemore project at 55 and 63 Goldworth Road. The original approval included a total of 200 single-family units, 300 multi-family units, live/work units, and additional uses, such as senior housing, which encompassed independent living, memory care, and a minimum age restriction of fifty-five (55) years. A Development of Regional Impact (DRI) study was completed, and the Three Rivers Commission commented regarding the Williams Family Farm.

In 2020, the City Council authorized an amendment to increase the total number of single-family lots to no more than 250 units and to expand the multi-family units to a maximum of 325 units. Subsequently, in 2021, the Council approved an additional 290 units of senior housing, maintaining the age restriction of fifty-five (55) years. The applicant has consistently sought annual extensions of their zoning approvals in accordance with the original and modified conditions tied to the project's conditional approval.

In September 2024, the applicant submitted a request to extend the previously approved Planned Unit Development (PUD) and proposed an amendment to incorporate Light Industrial (I1) zoning (ALT-01-24). This application was denied by the Planning and Zoning Commission, with the recommendation that the applicant file a new application. The revised application would effectively remove the previously approved housing units and mixed-use components and reconfigure the PUD to reflect Medium Industrial (I2) zoning. Following this guidance, the initial application was withdrawn, and a new application was subsequently filed.

In January 2025, city staff introduced a proposal for a new Technology Park Overlay District (TPOD) Zoning District, outlined in Section 4.18. This zoning district specifies permitted uses and development standards for projects akin to the one proposed by the applicant, Avemore GA, LLC.

Proposed uses within the Technology Park Overlay District include, but are not limited to:

- Corporate campuses with administrative operations
- Technology parks with electrical substations
- Research and development facilities

- Data processing and other computer-based operations

In January 2025, the City Council approved the addition of the TPOD section to the city's ordinance by a 4-1 vote.

In March, the Joint Review Committee, which includes representatives from Carroll County, County Schools, and the City of Villa Rica, reviewed the items and provided positive feedback and support.

C. Proposed Development

The applicant seeks annexation and rezoning approval to transition the property from Agricultural and Conservation zoning to an expanded Planned Unit Development (PUD), incorporating the Technology Park Overlay District (TPOD). The subject property spans a total of 428.288 acres and is located along Highway 61 and South Van Wert Road. The proposed development is envisioned to support uses such as a technology park or corporate campus with ancillary facilities.

See Table 2 below for yard and bulk requirements in the (TPOD) Technology Park Overlay District:

TABLE 2 - BULK REQUIREMENTS – INDUSTRIAL, MEDIUM DENSITY ZONE DISTRICT			
	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	5	428.288	C
Minimum Lot Width (ft)	150	Unknown	C
Minimum Lot Frontage (ft)	50	Unknown	C
Minimum Rear Yard Setback (ft)	50	Unknown	Unknown
Minimum Side Yard Setback (ft)	50	Unknown	Unknown
Maximum Building Coverage (%)	60	Unknown	Unknown
Maximum Building Height (ft)	60	Unknown	Unknown
Maximum Impervious Coverage (%)	80	Unknown	C

The project's plans for accessing water and sewer utilities remain uncertain, including whether connections can be feasibly established and whether sufficient capacity and distribution infrastructure are available. The applicant has been actively collaborating with city and county officials to explore viable solutions, aiming to minimize any potential impact on the existing infrastructure and its capacity.

Design Standards

The city has established design standards applicable to developments within the Technology Park Overlay District (TPOD). These include the recently amended standards outlined in Section 4.18, as well as the non-residential design standards specified in Section 9.04 of the Zoning Ordinance. The applicant will be required to comply with these standards during the architectural review process.

Amenities/Open Space

The developer must provide a calculation of the current open space relative to the total acreage of the property, as required by the Technology Park Overlay District (TPOD) standards outlined in Section 4.18 and the Open Space requirements specified in the Development Standards under Section 7.13. The ordinance defines the criteria for qualifying and non-qualifying open space, as detailed below:

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

Offsite Improvements

No off-site improvements are proposed along Highway 61, including acceleration and deceleration lanes.

Density

N/A

Flood Plain

Bay Springs Creek runs through the subject properties. Based on an analysis using the National Flood Hazard Layer FIRMette software, portions of the property near South Van Wert Road are in proximity to a Floodplain A zone; however, the majority of the property

Parcel IDs : V07 0140003, V07 0140004,
V07 0140151, 169 0120, 168 0090

Item(s): RA-01-25, ANX-01-25, ANX-02-25

does not fall within this designation. Without a submitted Conceptual Site Plan, it remains uncertain whether the applicant intends to propose any creek infill. Additionally, it is unclear whether all buildings will comply with buffer requirements from the pond. Any proposed creek infill may require variances and will be subject to extensive review and approval by the Environmental Protection Division (EPD) and the City Engineer. Figure 2 below illustrates the flood zone map for the property.

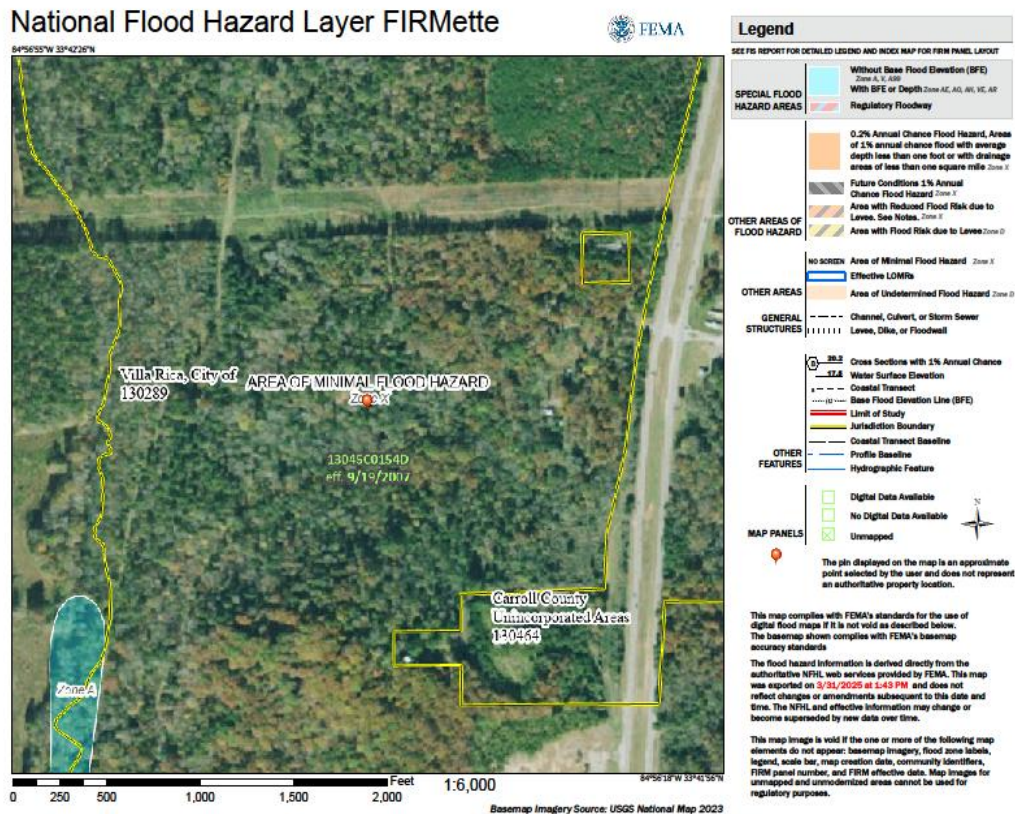


Figure 2: National Flood Hazard Layer FIRM Map

Buffering/Screening/Tree Conservation:

The applicant is required to submit a landscaping plan at the time of Final Plat submittal. In accordance with Section 7.05(6) of the Zoning Ordinance, a twenty (20)-foot-wide landscaped area must be provided adjacent to the road or right-of-way. This area must be designated as a “common area” or placed within a landscape easement. Additionally, several shrubs and trees are required to be planted within this area.

The following standards apply:

- At least one (1) tree must be planted for every thirty (30) linear feet of landscaped area. Trees may include a combination of deciduous and evergreen species.

Parcel IDs : V07 0140003, V07 0140004,
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Item(s): RA-01-25, ANX-01-25, ANX-02-25

- A minimum of one (1) shrub must be planted every three (3) feet to create a continuous screen. This screen must reach a minimum height of thirty-six (36) inches within two (2) years of planting.

The Technology Park Overlay District (TPOD), as outlined in Section 4.18, includes additional landscaping and buffer requirements that the applicant must adhere to during the development process.

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 the parcel as “Suburban Village” as the future land use character area. The intent of the Suburban Village with a Character Area of Suburban Village 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 Suburban Village character area is designed to establish development nodes in locations with potential for future growth, focusing on community crossroads as central hubs. The development principles emphasize generally low to moderate density with concentrated neighborhood commercial uses oriented around intersections and community crossroads. In more rural areas, lower density is prioritized.

Transportation design principles highlight internal connectivity for vehicular, pedestrian, and bicycle traffic within residential areas, while the road network should ensure effective linkage to surrounding areas.

General Characteristics: Suburban Villages are defined by clustered commercial development centered around prominent road intersections, known as Community Crossroads. These areas include nearby residential neighborhoods, which are suburban in nature. The development pattern is typically compact, featuring either stand-alone businesses or small groups of businesses within a site. In more rural and suburban locations, individual businesses often occupy singular properties.

The Future Land Use Map designates the surrounding area with categories such as Commercial, Public/Institutional, and Medium Density Residential.

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

The lots are currently vacant, with no active uses and a single small structure. The overall character of the site reflects that of a typical vacant, undeveloped lot, bordered by agricultural properties. The character of the Agricultural (AG) zone is defined by single-family homes on large lots of at least ½ acre.

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

Based on the Comprehensive Plan and the overall character of the surrounding area, the proposed development represents the most desirable use for the property. The current use of the site as vacant land does not align with its highest and best use, given the size of the acreage and the recommendations outlined in the Comprehensive Plan. Development as a Technology Park Overlay District (TPOD) along the highway is considered desirable from both a planning and infrastructure perspective, as well as being comparatively less impactful on local schools and traffic.

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

The proposed development is anticipated to have a nominal impact on property values for the surrounding areas.

v. Responsible development and growth

The southwestern portion of the city is anticipated to experience substantial residential and commercial growth in both the near and long-term future. The proposed development is expected to generate less vehicular and personal traffic compared to the originally approved multi-use Planned Unit Development (PUD).

However, the applicant has not outlined any plans for roadway improvements, making it difficult to evaluate the adequacy of the current road network or the potential impact of enhancements.

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 proposed use is unique within the city and differs from the uses on adjacent and nearby properties. Highway 61 has experienced significant residential development both within and beyond the city limits. The size of the parcel and its extensive frontage along Highway 61 make it a prime candidate for future commercial or potentially residential development in the area.

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

The proposed use is not anticipated to negatively impact the existing uses or the usability of adjacent properties or structures. The development must comply with buffer requirements for dissimilar adjacent uses, with additional buffering required for areas directly adjoining residential properties.

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

The property currently does not have reasonable economic use as currently zoned and is not the highest and best use of land given the acreage and Comprehensive Plan designations for appropriate zoning, in addition the proposed rezoning would be less impactful on local schools and traffic than the original PUD which proposed approximately 850 mixed residential units. Due to the size and location of the parcel, along with development pressures along the Highway 61 corridor, the rezoning to (TPOD) would give the parcel an economic advantage for providing further development but increase utility demand in an area of the city with distribution challenges.

The property's currently undeveloped use is not reasonable economically. It does not represent the highest and best use of the land, given the parcel's size and the Comprehensive Plan's recommendations for appropriate zoning. Rezoning to the Technology Park Overlay District (TPOD) would align with the area's development utilities pressures along the Highway 61 corridor, providing the parcel with greater economic viability. Additionally, the rezoning is projected to have less impact on local schools and traffic compared to the previously approved PUD, which proposed approximately 850 mixed residential units. However, the rezoning would place increased demand on utility infrastructure in an area with existing distribution challenges.

iv. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

There is potential for excessive usage of city infrastructure, particularly regarding sewer capacity along Highway 61. The city has faced increasing challenges in providing adequate sewer collection capacity for developments along and surrounding Highway 61, which may complicate the feasibility of future projects. Significant sewer conveyance limitations have been identified in the Highway 61-South watershed. Investigations indicate that any future development in this area would require the construction of a regional lift station and conveyance system along South Van Wert Road extending beyond Interstate 20. Such a lift station would address current conveyance limitations and support future projects within the watershed.

Some preliminary discussions between the developer and the city have occurred regarding the location and planning of the lift station and conveyance system. However, no concept plan has been submitted to the city for traffic improvements along Highway 61. Potential impacts on traffic along Highway 61 and South Van Wert Road must be studied and reviewed by the City Engineer during the final plat approval process.

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

The proposed rezoning is not fully aligned with the Comprehensive Plan, which designates the Suburban Village character area and prioritizes commercial and residential zoning. While the proposal diverges from the prescribed intent of this character area, it offers relief from the demand associated with hundreds of housing units, making the requested zoning change from PUD to TPOD preferable from a planning perspective. Incorporating industrial-like uses near both agricultural and residential zones aligns with the existing development patterns observed in the City's outer areas, such as the Industrial Parks in the Northwest and Central Eastern sections of the City. The Technology Park Overlay District (TPOD), as outlined in Section 4.18, specifies the allowable uses for this zoning designation.

vi. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The availability of sewer and water capacity for the proposed TPOD would affect the developability of the parcel for the intended use. Poor capacity may hamper the ability to construct the proposed concept.

E. Comments

1. A Landscape Plan, Open Space Plan, and other details, as required, should be submitted to the City Engineer for review prior to Final Plat approval.
2. The applicant should provide testimony to the off-site improvements proposed.

3. The applicant will assist with wastewater improvements in the areas of conveyance and capacity in the form of a Development Agreement.
4. The applicant will not request any additional residential units with the annexation and expanded PUD to include light industrial.

During the Planning & Zoning (P&Z) meeting on April 15, 2025, several key points and concerns were raised:

Floodplain Analysis: Commissioner Newton inquired about whether a floodplain analysis would be conducted. It was clarified that this analysis would take place during the development process prior to permitting.

Roadway Infrastructure and Traffic Study: Commissioner Morales raised questions about the proposed roadway infrastructure and requested a traffic study for the site. Commissioner Morales also brought up concerns from citizens regarding water usage.

Site Plan, Utility Impact, and Traffic Analysis: Commissioner Vines expressed concerns about the proposed development not including a site plan, an impact survey on utilities, and a traffic analysis study for the Planning Commission and City Council to review. Commissioner Vines also inquired about whether there was a greywater infrastructure plan in place, given that developments of this type tend to place significant strain on water resources. The applicant responded that greywater solutions could be considered through further study.

Applicant's Comments: The applicant stated that the proposed data center would generate minimal traffic compared to the originally approved mixed-use development. They also addressed concerns about noise, emphasizing that modern technology parks produce significantly less noise than earlier generations of data centers. Additionally, the applicant noted that data parks contribute substantial revenue to the city through property taxes, ad valorem taxes, and franchise fees.

Citizen Concerns: Multiple citizens voiced concerns regarding traffic, water, utilities, and infrastructure related to the development of a data center. Some residents expressed that placing such a development within a suburban mixed-use area isn't beneficial. Others emphasized the need for more information, including expected water and power usage, and a site plan for public review.

Future Growth and Infrastructure Considerations: Commissioner Morales discussed the city's anticipated population growth and the importance of making informed decisions to accommodate the influx of new residents. School system representatives noted that schools are projected to reach capacity in the future due to the expected population increase. The alternative to developing a data center would be constructing multifamily and single-family residential units on these parcels,

without infrastructure upgrades to the Highway 61 South portion of the city. The Planning and Zoning Commission unanimously approved the items with recommended conditions.

The Planning & Zoning Commission proposed additional conditions to be included along with the staff-recommended conditions:

P&Z Commissioners' Additional/Alternative Conditions:

1. A 200-foot buffer between residential properties or properties containing residences.
2. A 300-foot buffer between ground equipment (such as generators, noise-emitting devices, and cooling systems), unless screened by the data center buildings.
3. Structures must be built at least two feet above the base flood elevation for the property.
4. The applicant must conduct a traffic study.

G. Supported by Comprehensive Plan Sections:

Development Patterns (DP):

DP Goal 1: Maintain small-town character and cultural identity while supporting growth

DP Strategy 1.2: Ensure non-residential development in Village areas indicated on the Future Development Map is compatible with existing character and scale of the surrounding area.

DP Goal 6: Promote quality corridor development

DP Strategy 6.1: Evaluate need to develop design standards for corridor development to help mitigate traffic mobility issues in high traffic areas and to ensure that new development/ redevelopment is designed to be compatible with the function of the corridors.

Social and Economic Development (SED): Create employment opportunities within the city and expand business diversity.

- SED Strategy 3.2: Promote high quality Employment Centers (Industrial, Commercial, Office, Gateway) through enforcing development regulations related to building and site design and buffer and landscaping requirements, in accordance with the Future Development Guide.
- SED Strategy 3.3: Identify and promote opportunities for higher-paying jobs and small business.

- SED Strategy 3.4: Identify opportunities to accommodate expansion of industrial real estate (including infill development), where appropriately located.
- SED Strategy 3.5: Pursue annexation opportunities within a general Urban Growth Area as depicted on the Future Development Map, based on the determination of economic feasibility/benefit.

H. Recommendations:

Staff recommendation: **APPROVAL w/ Conditions**

Staff recommendation Conditions:

1. Water Utilization, Sewer Capacity, and Conveyance are to be agreed upon with the City in the form of a Development Agreement.
2. Residential components of the PUD must be removed, and all affected properties must adhere to TPOD development standards and permitted uses.
3. A minimum 100-foot buffer yard shall separate subject properties from all residential zoning districts.

Reasons:

1. Based on the City's Comprehensive Plan Development Patterns (DP) and Social and Economic Development (SED), the applicant's request to rezone the parcel from PUD to PUD-Industrial (TPOD) is supported.
2. (TPOD) will provide the highest and best use of the land, without overburdening city schools, roads, and infrastructure.
3. The rezoning facilitates the transformation of a vacant, underutilized parcel into a valuable asset for the city while promoting opportunities for additional development along the Highway 61 corridor.
4. No objections were received from Carroll County.

Planning and Zoning Commission's recommendation: APPROVAL (4-0)

Planning and Zoning Commission recommends conditions:

1. A 200-foot buffer between residential properties or properties containing residences.
2. A 300-foot buffer between ground equipment (such as generators, noise-emitting devices, and cooling systems), unless screened by the data center buildings.
3. Structures must be built at least two feet above the base flood elevation for the property.
4. The applicant must conduct a traffic study.

Applicant : Avemore Ga LLC

Parcel IDs : V07 0140003, V07 0140004,
V07 0140151, 169 0120, 168 0090

Item(s): RA-01-25, ANX-01-25, ANX-02-25

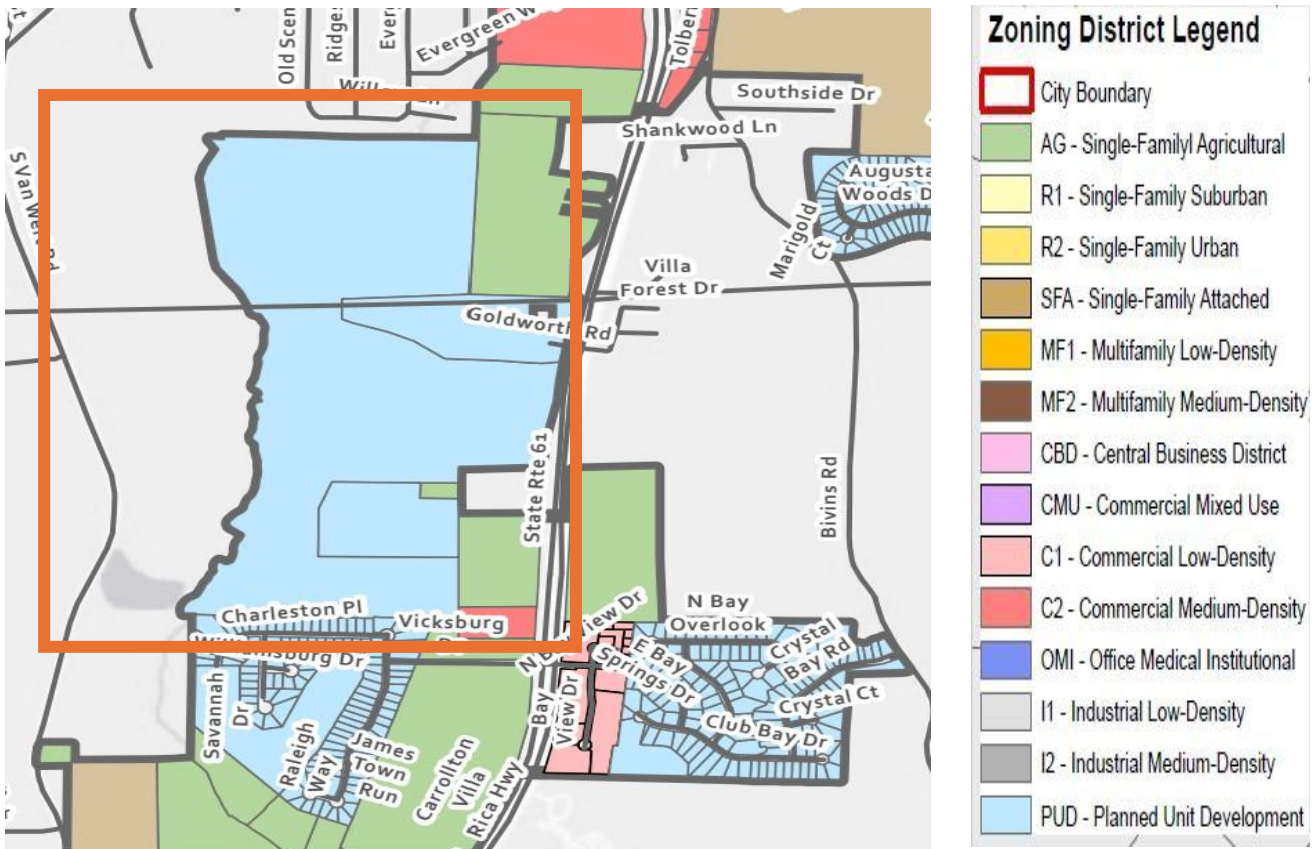
Public Notifications:

As required by *Section 11.05* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on March 24, 2025; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

Letters of opposition to the applicant's request were submitted to the Community Development Department.

Villa Rica Zoning Map:

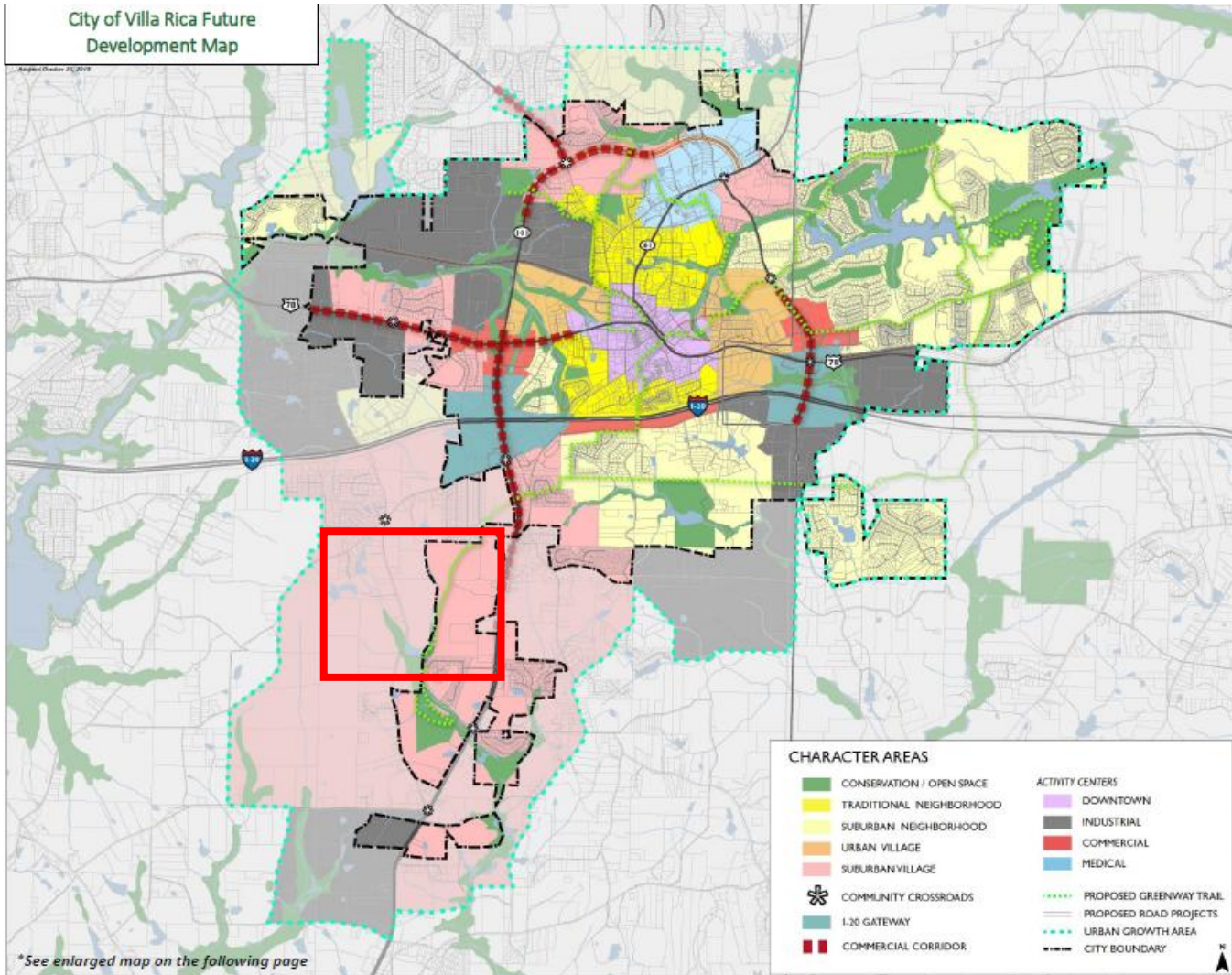


Applicant : Avemore Ga LLC

**Parcel IDs : V07 0140003, V07 0140004,
V07 0140151, 169 0120, 168 0090**

Item(s): RA-01-25, ANX-01-25, ANX-02-25

Villa Rica Future Land Use Map:



ORIGINAL



City of Villa Rica Planning and Zoning Department

1605 Carrollton Villa Rica Hwy | Villa Rica, Ga 30180

678-785-9995 | www.Villarica.org

**Petition Requesting Annexation
City of Villa Rica, Georgia**

Annexation Fee- \$700/Parcel

Date: 3/20/2025

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA RICA, GEORGIA:

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Council annex this territory to the City of Villa Rica, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed abuts the existing boundary of Villa Rica, Georgia, and the description of such territory is as follows:

Address/Location of Property: Hickory Level Road

Tax Map Parcel #: 168 0090

(Please attach legal description of property.)

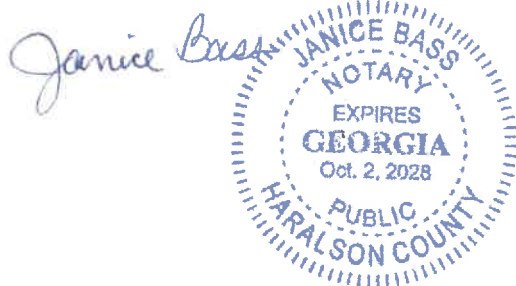
WHEREFORE, the Petitioner prays that the City Council of the City of Villa Rica, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, do by proper ordinance annex said property to the City Limits of the City of Villa Rica, Georgia.

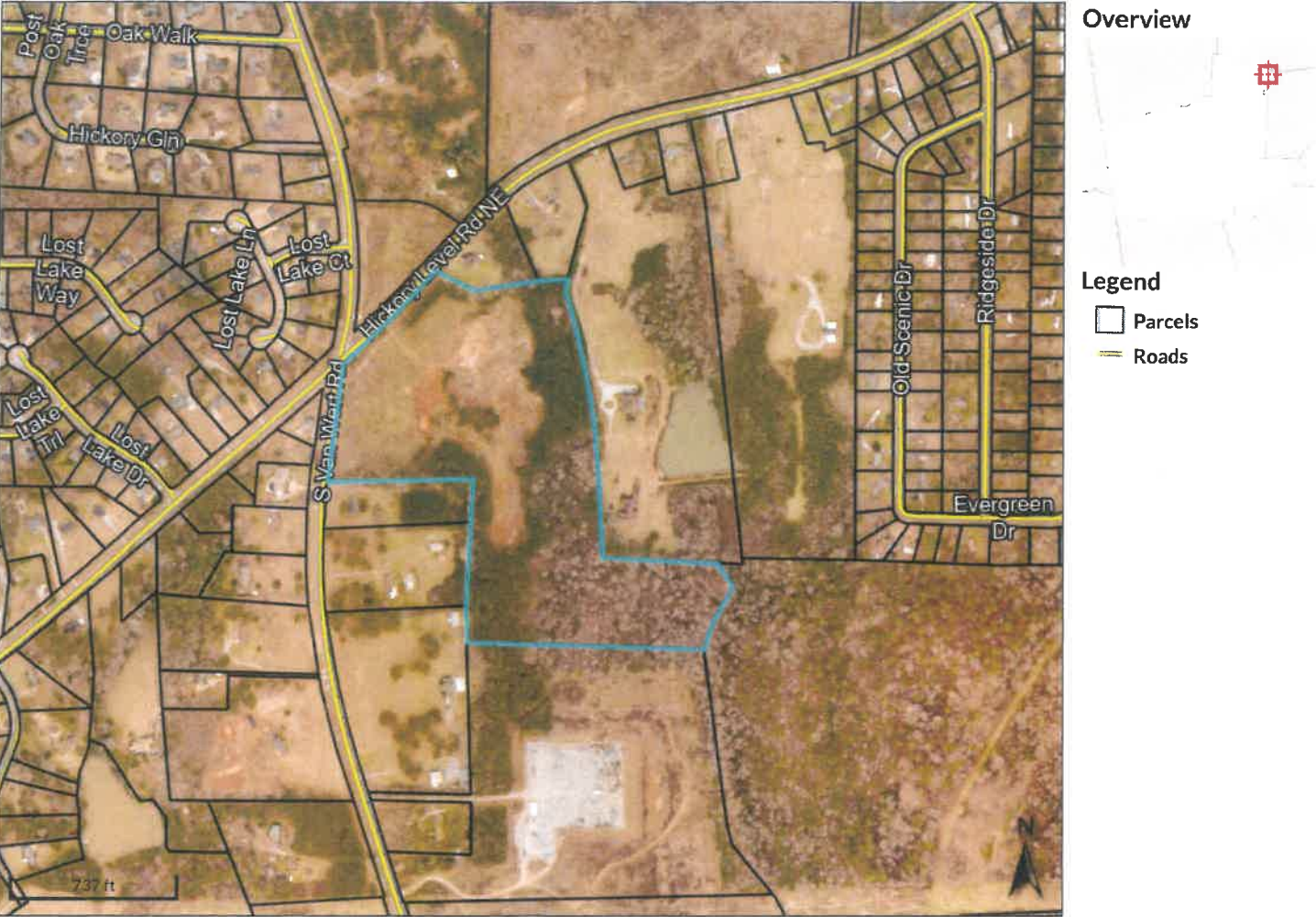
Respectfully submitted,

Brenda M. Matthews

BRENDA M. MATTHEWS, Trustee
MATTHEWS FAMILY TRUST

Petitioner Mailing Address: 215 W. Bankhead Hwy., Suite A, Villa Rica, GA 30180





Parcel ID	168 0090	Owner	THE MATTHEWS FAMILY TRUST		Last 2 Sales			
Class Code	Consv Use		215 W BANKHEAD HIGHWAY		Date	Price	Reason	Qual
Taxing District	COUNTY		SUITE A		12/27/2024	0	LA	U
Acres	32.06		VILLA RICA, GA 30180		12/27/2024	0	FS	U
		Physical Address	HICKORY LEVEL RD					
		Assessed Value	Value \$340952					

(Note: Not to be used on legal documents)

Date created: 3/18/2025
Last Data Uploaded: 3/17/2025 6:01:37 PM

Please return to:
Jeff R. Matthews
215 W. Bankhead Hwy., Ste A
Villa Rica, GA 30180

STATE OF GEORGIA
COUNTY OF CARROLL

eFiled and eRecorded
DATE: 12/27/2024
TIME: 9:46 AM
DEED BOOK: 6298
PAGE: 778 - 779
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 5979818353
PT61: 022-2024-005572
RECORDED BY: SM
CLERK: Alan J. Lee
Carroll County, GA

WARRANTY DEED

THIS INDENTURE made this 27th day of December 2024 between

JEFF R. MATTHEWS

as party or parties of the first part, hereinafter called Grantor, and

BRENDA M. MATTHEWS AS TRUSTEE OF THE MATTHEWS FAMILY TRUST

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 DOLLARS and other good and valuable consideration (\$10.00) 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, the following described property:

All OF Assessor Tax Parcel 168 - 0090 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land lot 124 and 125 of the 6th District of Carroll County, Georgia, as being more particularly described as follows: Beginning at the intersection of the south right of way of Hickory Level Road (60 foot) and the east right of way of Van Wert Road (80 foot) running south 6 degree 16 minutes 6 seconds west a distance of 504.9 feet to an iron pin and rock corner; running thence North 87 degrees 41 minutes 55 seconds west a distance of 621.5 feet to an iron pin; running thence south 2 degrees 7 minutes 27 seconds west a distance of 210 feet to an iron pin; running thence south 1 degrees 45 minutes 7 seconds west to the Georgia Transmission Corporation line; running thence east along the Georgia Transmission Corporation line to a branch and the Michell line; running thence north along the branch to a point; running thence north 85 degrees 5 minutes 36 seconds west a distance to an iron pin; running thence north 4 degrees 2 minutes 18 seconds west a distance of 652.7 feet; running thence north 11 degrees 20 minutes 10 seconds west a distance of 148.3 feet; running thence north 15 degrees 9 minutes 17 seconds west a distance of 350.15 feet to an iron pin; running thence north 12 degrees 33 minutes 37 seconds east a distance of 252.03 feet to an iron pin; running thence south 86 degrees 51 minutes 29 seconds west a distance of 214.35 feet to an iron pin; running thence north 11 degrees 46 minutes 19 seconds west a distance of 214.35 more or less to an iron pin on the south right of way of Hickory Level Road; running thence southwest a distance of 1,082 feet more or less to the point of beginning.

LESS AND EXCEPT: That property conveyed to Nalley by a deed dated January 5, 1983, and recorded at Deed Book 445, Page 129, in the Office of the Clerk of the Superior Court of Carroll County, Georgia, said tract being 2 acres.

ALSO LESS AND EXCEPT: A portion of that property conveyed to Tomlinson by a deed dated November 15, 1990, and recorded at Deed Book 683, Page 406, in the Office of the Clerk of the superior Court of Carroll County, Georgia

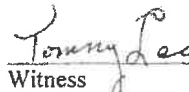
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

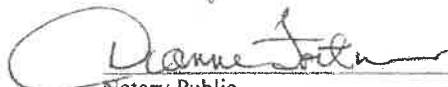
AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

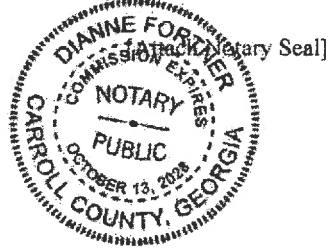
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered in the presence of:


by JEFF R. MATTHEWS (Seal)


Witness


Notary Public
My commission expires



Chapter IV. Zoning Districts

Section 4.18 Technology Park Overlay District (TPOD).

Purpose. The Technology Park Overlay District is established for the development of higher echelon technology and business development seeking to develop separate facilities for management headquarters, data centers, training areas, low-impact light manufacturing, motion picture, television and other multi-media production research and development operations and offices.

Such facilities are often grouped together in order to provide common amenities, such as adequate and convenient parking, service, and utilities. Operations shall cause no radiation or radioactivity at any exterior wall and no electrical radiation that affects any operation or equipment other than those of the creator of the radiation. The establishment of such a district requires a predetermined development plan, appropriate screening, adequate separation from other land uses and more stringent controls. It is the primary intent of this district to allow for such areas in order to meet contemporary needs.

1. Principally permitted uses

The following uses, shall be permitted in TP Overlay Districts:

- A. Administrative operations (finance, insurance).
- B. Commercial printing.
- C. Commercial testing laboratories.
- D. Communications equipment Mfg.
- E. Computer and electronic repair and calibration.
- F. Computer operations and data processing
- G. Data Centers
- H. Corporate offices or headquarters.
- I. Design and engineering.
- J. Drugs and pharmaceuticals distribution and/or Mfg.
- K. Educational services.
- L. Electronic components Mfg.
- M. Electrical substations
- N. Hospitals, clinics, medical and dental offices, medical and dental laboratories, and veterinary clinics.
- O. Industrial controls Mfg. (used in industrial production for controlling equipment or machines).
- P. Management and professional services.
- Q. Metalworking machinery production.
- R. Motion picture, television and other multi-media production.
- S. Office machines Mfg.
- T. Office/research.
- U. Public/Govt. buildings.
- V. Pilot plants and production facilities.
- W. Plastic, composite products Mfg.
- X. Research and development Mfg.
- Y. Special industry machinery Mfg.
- Z. Transportation equipment Mfg.

AA. Unlisted use. The director may approve an unlisted use in this zoning district where the unlisted use is similar in type and nature to a listed use in that district.

2. Permitted accessory uses.

Permitted accessory uses are as follows:

- A. Employee lunchrooms.
- B. Temporary outside storage if the same is in conjunction with pilot plants or production facility uses, subject to being screened from adjoining properties.
- C. Recreational facilities for use by tenants, employees and clients.
- D. Private temporary living quarters associated with research and development
- E. Storage facilities within wholly enclosed buildings.
- F. Water Storage Facilities
- G. Trash receptacles.
- H. Telecommunication structures.
- I. On-site day care provided by businesses within the park for employees.
- J. Security structures, which may be installed within buffers and setbacks if located at approved entrances and exits.
- K. Battery storage
- L. Alternate fuel storage

3. Lot Standard

Standard	Setback Requirements
Minimum Lot Area	5 Acres
Minimum Lot Width	150 Feet
Minimum Lot Frontage	50 Feet
Building Height (Principal and Accessory Structures)	60 Feet (Excludes parapet walls, rooftop mechanical equipment, and penthouses).
Front Setback (Principal and Accessory Structures)	50 feet
Side Setback (Principal and Accessory Structures)	50 feet
Rear Setback (Principal and Accessory Structures)	50 feet
Minimum distance from structures on same lot	10 feet
Maximum Lot Coverage (Buildings)	60%
Maximum Lot Coverage (Total Impervious Area)	80%

Required lot standards shall only apply to external property boundaries with other properties not zoned as part of the TPOD. Minimum lot frontages, width and acreage shall not apply to subdivided lots within the TPOD, so long as the entirety of the contiguous development complies with these standards, and so long as the subdivided lot has adequate frontage on public or private roads and access drives to allow service.

4. Lighting Requirements

Lighting shall meet the requirements of Section 7.12 (Outdoor Lighting) of Chapter VII. Design Standards of the Zoning Ordinance.

5. Parking requirements

Parking shall meet the requirements of Section 7.02 (Off-street Parking and Loading) of Chapter VII. Design Standards of the Zoning Ordinance. Additionally,

- A. Each building shall provide 25 parking spaces minimum. Ancillary office buildings and other occupiable structures shall park at one space per 500 SF of GFA.
- B. Joint parking areas serving multiple buildings may be permitted onsite.
- C. Handicap accessible parking shall be provided in conformance with federal ADA requirements.
- D. Parking areas shall not extend into buffer areas.
- E. Unloading shall be onsite and not within the right-of-way.
- F. Parking space geometrics shall conform with Section 7.02 of the Zoning Ordinance.

6. Landscaping and Buffering

Landscaping shall meet the requirements of Section 7.05 (Landscaping Standards) of Chapter VII. Design Standards of the Zoning Ordinance. Additionally, buffer yards for TPOD Uses:

- A. Adjacent to Residential Districts: A minimum 75-foot buffer yard shall be maintained separating the TP property from all residential zoning districts. The buffer yard shall be planted per the Type 4 Bufferyard Standards of the Zoning Ordinance.
- B. Adjacent to Commercial Zoning Districts: A minimum 30-foot buffer yard shall be maintained separating the TP property from all commercial zoning districts. The buffer yard shall be planted per the Type 3 Bufferyard Standards of the Zoning Ordinance.
- C. Adjacent to Industrial Zoning Districts: A minimum 10-foot buffer yard shall be maintained separating the TP property from all industrial zoning districts. The buffer yard shall be planted per the Type 1 Bufferyard Standards of the Zoning Ordinance.

Fences in the TP Overlay District may exceed the maximum listed fence height of 8' in the Zoning Ordinance in all setbacks yards.

7. Noise

Noise shall meet the requirements of Section 9.04 Non-residential design standards, Item 16 Noise and Vibration Standards, of Chapter VII. Design Standards of the Zoning Ordinance.

Additionally,

- A. Generator testing is limited to between 7:00 a.m. and 5:00 p.m.;
- B. Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only.

Amendment to section 13.01 Definitions:

TECHNOLOGY PARK OVERLAY DISTRICT (TPOD): The Technology Park Overlay District (TPOD) is a planning tool used as a special zoning of an area that is growing and guided to support technology businesses to include their infrastructure needs. The Technology Park Overlay District is established for the development of higher echelon technology and business development seeking to develop separate facilities for management headquarters, data centers, training areas, low-impact light manufacturing, motion picture, television and other multi-media production research and development operations and offices to name a few.



City of Villa Rica Planning and Zoning Department

1605 Carrollton Villa Rica Hwy | Villa Rica, Ga 30180

678-785-9995 | www.Villarica.org

Petition Requesting Annexation City of Villa Rica, Georgia

Annexation Fee- \$700/Parcel

Date: 3/21/25

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA RICA, GEORGIA:

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Council annex this territory to the City of Villa Rica, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed abuts the existing boundary of Villa Rica, Georgia, and the description of such territory is as follows:

Address/Location of Property: South Van Wert Road

Tax Map Parcel #: 169 0120

(Please attach legal description of property.)

WHEREFORE, the Petitioner prays that the City Council of the City of Villa Rica, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, do by proper ordinance annex said property to the City Limits of the City of Villa Rica, Georgia.

Respectfully submitted,

JONATHON WARD, Managing Member
AVEMORE GA LLC

Petitioner Mailing Address: 1737 Bankhead Hwy., Carrollton, GA 30116



Overview



Legend

-  Parcels
-  Roads

Parcel ID 169 0120 (Portion of)
 Class Code Agricultural
 Taxing District COUNTY
 Acres ~~204.55~~ 192.46

Owner TOLBERT C JERRY
 2398 S VAN WERT RD
 VILLA RICA, GA 30180
 Physical Address 2664 S VAN WERT RD
 Assessed Value Value \$962946

Last 2 Sales			
Date	Price	Reason	Qual
7/8/2014	\$680	QC	U
11/4/1996	0	LG	U

(Note: Not to be used on legal documents)

Now - Avemore GA LLC

Date created: 3/18/2025
 Last Data Uploaded: 3/17/2025 6:01:37 PM

Developed by  **SCHNEIDER**
 GEOSPATIAL

eFiled and eRecorded
DATE: 12/18/2024
TIME: 4:07 PM
DEED BOOK: 6297
PAGE: 320 - 326
FILING FEES: \$25.00
TRANSFER TAX: \$7,200.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2024-005456
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

AFTER RECORDING RETURN TO:

Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-242749
Tax Map: 169 0120

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 18th day of December, 2024, between C. Jerry Tolbert, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Avamore GA LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations, and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

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,

TRACT I: All that tract or parcel of property lying and being in Land Lots 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as all that property shown as Tracts A, B and the "OUT" parcel depicted on that certain survey entitled "Property Survey for Jerry Tolbert" prepared by Douglas C. Crawford, Georgia Registered Land Surveyor No. 1833, which plat is recorded in Plat Book 19, Page 8, in the Office of the Clerk of Superior Court of Carroll County, Georgia, and which plat and record thereof are incorporated herein for a more complete and particular description of said tract.

LESS AND EXCEPT: All that tract or parcel of land lying and being in Land Lots 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

Beginning at an iron pin located on the Northeastern Land Lot corner of Land Lot 101, which is also the Northwestern Land Lot corner of Land Lot 100; thence running South along the Eastern Land Lot Line of

Land Lot 101 and the Western Land Lot Line of Land Lot 100 a distance of 141.46 feet; thence running South 89 degrees 8 minutes 36 seconds West a distance of 280.98 feet to a right of way monument located on the Eastern right of way of Van Wert Road; thence running in a Southerly direction along the right of way of Van Wert Road South 18 degrees 20 minutes 37 seconds East 180.27 feet; thence continuing along the right of way along the same bearing an additional 204.73 feet to an iron pin which is the TRUE POINT OF BEGINNING; thence running North 89 degrees 08 minutes 38 seconds East a distance of 831.50 feet; thence running South 18 degrees 20 minutes 37 seconds East 710.00 feet; thence running South 80 degrees 48 minutes 45 seconds West to an iron pin on the Southerly right of way of Van Wert Road; thence running North 16 degrees 59 minutes 34 seconds West 253.18 feet along the right of way of Van Wert Road and continuing North 18 degrees 04 minutes 25 seconds West 513.30 feet along such right of way to the point which is the True Point of Beginning.

TRACT II: All that tract or parcel of property lying and being in Land Lot 100 of the 6th District of Carroll County, Georgia, and being more particularly described as that certain tract shown on that plat entitled "Plat for Jerry Tolbert" prepared by Douglas C. Crawford, Georgia Registered Land Surveyor No. 1833, which plat is recorded at Plat Book 28, Page 25, in the Office of the Clerk of Superior Court of Carroll County, Georgia, which plat and record thereof are incorporated herein for a more complete and particular description of said property.

TRACT III: All that tract or parcel of property lying and being in Land Lots 92, 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as beginning at a concrete post which is located at the Northeast corner of Land Lot 101, that being also the Northwest corner of Land Lot 92; thence running in a Southerly direction along the Eastern Land Lot Line of Land Lot 101, that being the Western Land Lot Line of Land Lot 92 with a bearing of North 87 degrees 20 minutes 40 seconds West 1,552.59 feet to the TRUE POINT OF BEGINNING; thence running North 01 degrees 35 minutes 24 seconds East 645.84 feet; thence running North 88 degrees 00 minutes 45 seconds West 49.32 feet; thence running North 02 degrees 02 minutes 40 seconds East 1,483.25 feet; thence running South 89 degrees 44 minutes 50 seconds East 887.83 feet; thence running South 88 degrees 00 minutes 55 seconds East 596.13 feet to an iron pin which is located on the Westerly right of way of Van Wert Road; thence continuing along the Westerly right of way of Van Wert Road South 17 degrees 07 minutes 12 seconds East 934.27 feet; thence continuing along such right of way in an arc with a bearing of South 05 degrees 10 minutes 40 seconds West a chord of 740.34 feet, a distance of 754.54 feet, and a radius of 1,119.62 feet; thence continuing along such right of way South 25 degrees 33 minutes 33 seconds West 453.71 feet; thence continuing along such right of way in an arc with a bearing of South 17 degrees 46 minutes 19 seconds West a chord of 363.33 feet, a length of 363.70 feet, and a radius of 2,327.84 feet; thence continuing along such right of way South 13 degrees 02 minutes 28 seconds West a distance of 288.48 feet; thence running North 85 degrees 04 minutes 36 seconds West 1,358.73 feet; thence running North 01 degrees 35 minutes 24 seconds East 446.12 feet to the True Point of Beginning.

TRACT IV: All that tract or parcel of property lying and being in Land Lots 92 and 93 of the 6th District of Carroll County, Georgia, and being more particularly described as beginning at a concrete post which is located at the Northwestern corner of Land Lot 93, which is also the Northeastern corner of Land Lot 92, which is the TRUE POINT OF BEGINNING; thence running South 88 degrees 17 minutes 28 seconds East 918.78 feet; thence running South 01 degrees 26 minutes 33 seconds West 806.62 feet; thence running North 89 degrees 17 minutes 00 seconds West 1,102.92 feet to an iron pin located on the Easterly right of way of Van Wert Road; thence continuing in a Northerly direction along such right of way North 13 degrees 08 minutes 21 seconds East 609.09 feet; thence continuing along such right of way in an arc with a bearing of North 16 degrees 18 minutes 33 seconds East a chord of 236.33 feet, a distance of 236.44 feet, and a radius of 2,247.84 feet to the concrete post which is the True Point of Beginning.

And Also:

All that tract or parcel of land lying and being in Carroll County, Georgia, being in Land Lot 100, 6th District and more particularly described as follows: Beginning on the west right of way of Van Wert Road, at an iron pin, which point is 525 feet, more or less, southeasterly along the west right of way of Van Wert Road from the southeast corner of the property, now or formerly owned by William F. Brown; thence west a distance of 325 feet, more or less, but specifically to the original west line of land lot 100, an iron pin; thence south along said land lot line 200 feet to an iron pin; thence east a distance of 326 feet, more or less, but specifically to the west right of way of Van Wert Road, an iron pin; thence northwesterly along the west right of way of Van Wert Road 200 feet to the point of beginning. This property having situated thereon a four room frame dwelling.

And Also:

All that tract or parcel of land lying and being in Land Lots 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

Beginning at an iron pin located on the Northeastern Land Lot corner of Land Lot 101, which is also the Northwestern Land Lot corner of Land Lot 100; thence running South along the Eastern Land Lot Line of Land Lot 101 and the Western Land Lot Line of Land Lot 100 a distance of 141.46 feet; thence running South 89 degrees 8 minutes 38 seconds West a distance of 280.96 feet to a right of way monument located on the Eastern right of way of Van Wert Road; thence running in a Southerly direction along the right of way of Van Wert Road South 18 degrees 20 minutes 37 seconds East 180.27 feet; thence continuing along the right of way along the same bearing an additional 204.73 feet to an iron pin which is the TRUE POINT OF BEGINNING; thence running North 89 degrees 08 minutes 38 seconds East a distance of 831.50 feet; thence running South 18 degrees 20 minutes 37 seconds East 710.00 feet; thence running South 80 degrees 48 minutes 45 seconds West to an iron pin on the Southerly right of way of Van Wert Road; thence running North 16 degrees 59 minutes 34 seconds West 253.18 feet along the right of way of Van Wert Road and continuing North 18 degrees 04 minutes 25 seconds West 513.30 feet along such right of way to the point which is the True Point of Beginning.

Such property being a portion of that tract shown as Tract B on a certain plat recorded in Plat Book 19, Page 8, Carroll County Public Deed Records.

LESS AND EXCEPT:

Land Located in Land Lot 92, 93 & 100, 6th District, Carroll County, Georgia. Being a portion the property of C. Jerry Tolbert of record in Deed Book 4906, Page 90, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West State Plane Coordinate System, North American Datum of 1983, as follows:

COMMENCE at a Concrete Monument found at the Northwest Corner of The Trails at Charleston Place, Phase Two, of record in Plat Book 89, Page 180, COCC;
Thence along a Chord Tie Line having a Bearing of S 49°03'39" W, a distance of 838.37 feet to a Capped Iron Rod (set) which is the POINT OF BEGINNING;

Thence N 82°16'43" W, along a new Line, a distance of 410.75 feet to a Capped Iron Rod set in the Eastern Right-of-Way Line of South Van Wert Road;
Thence N 12°06'08" E, along said Right-of-Way Line, a distance of 253.72 feet;
Thence continuing along said Right-of-Way Line and with a curve to the right with an arc length of 279.25 feet, with a radius of 2,574.54 feet, with a chord bearing of N 15°12'34" E, with a chord length of 279.11 feet to a Capped Iron Rod set;
Thence N 88°03'05" E, leaving said Right-of-Way Line and along a new Line, a distance of 406.59 feet to a Capped Iron Rod set;
Thence S 12°06'08" W, along a new Line, a distance of 599.76 feet to the POINT OF BEGINNING.

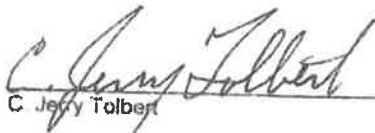
Said tract contains 5.27 Acres, more or less.

SUBJECT to those matters described on Exhibit "A" attached hereto

TO HAVE AND TO HOLD the said tract or parcel of land, which 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.

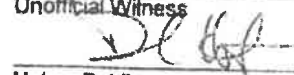
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 16th day of December, 2024.


C. Jerry Tolbert

Signed, sealed and delivered in the presence of:


Unofficial Witness


Notary Public
My Commission Expires: _____

David Houtsma
Notary Public
Forsyth County, State of Georgia
My Commission Expires Dec 3, 2026

LESS AND EXCEPT THE FOLLOWING:

Legal Description of the Property

Land Located in Land Lots 92, 93, 100 & 101, 6th District, Carroll County, Georgia. Being a portion the property of C. James Tolbert of record in Deeds: Book 4906, Page 86 and Page 90, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West State Plane Coordinate System, North American Datum of 1983, as follows:

BEGINNING at a Concrete Monument found at the Northwest Corner of The Trails at Charleston Place, Phase Two, of record in Plat Book 89, Page 180, COCC;

Thence along the Western Lines of aforesaid Subdivision the following Courses and Distances:

Thence S 00°19'10" W, a distance of 134.93 feet to an Iron Rod found;

Thence S 00°30'23" W, a distance of 189.74 feet to an Iron Rod found;

Thence S 00°25'28" W, a distance of 155.38 feet to an Iron Rod found;

Thence S 00°46'00" W, a distance of 71.75 feet to an Iron Rod found;

Thence S 00°20'28" W, a distance of 70.03 feet to an Iron Rod found;

Thence S 00°07'21" E, a distance of 69.89 feet to an Iron Rod found;

Thence S 00°39'16" W, a distance of 70.00 feet to an Iron Rod found;

Thence S 02°00'38" W, a distance of 44.75 feet to an Iron Rod found;

Thence S 89°53'22" W, leaving said Subdivision Line and along the South Line of said property of Tolbert, a distance of 1,100.57 feet to a Capped Iron Rod set in the Eastern Right-of-Way Line of South Van Wert Road;

Thence N 12°06'08" E, along said Right-of-Way, a distance of 321.52 feet to a Capped Iron Rod set;

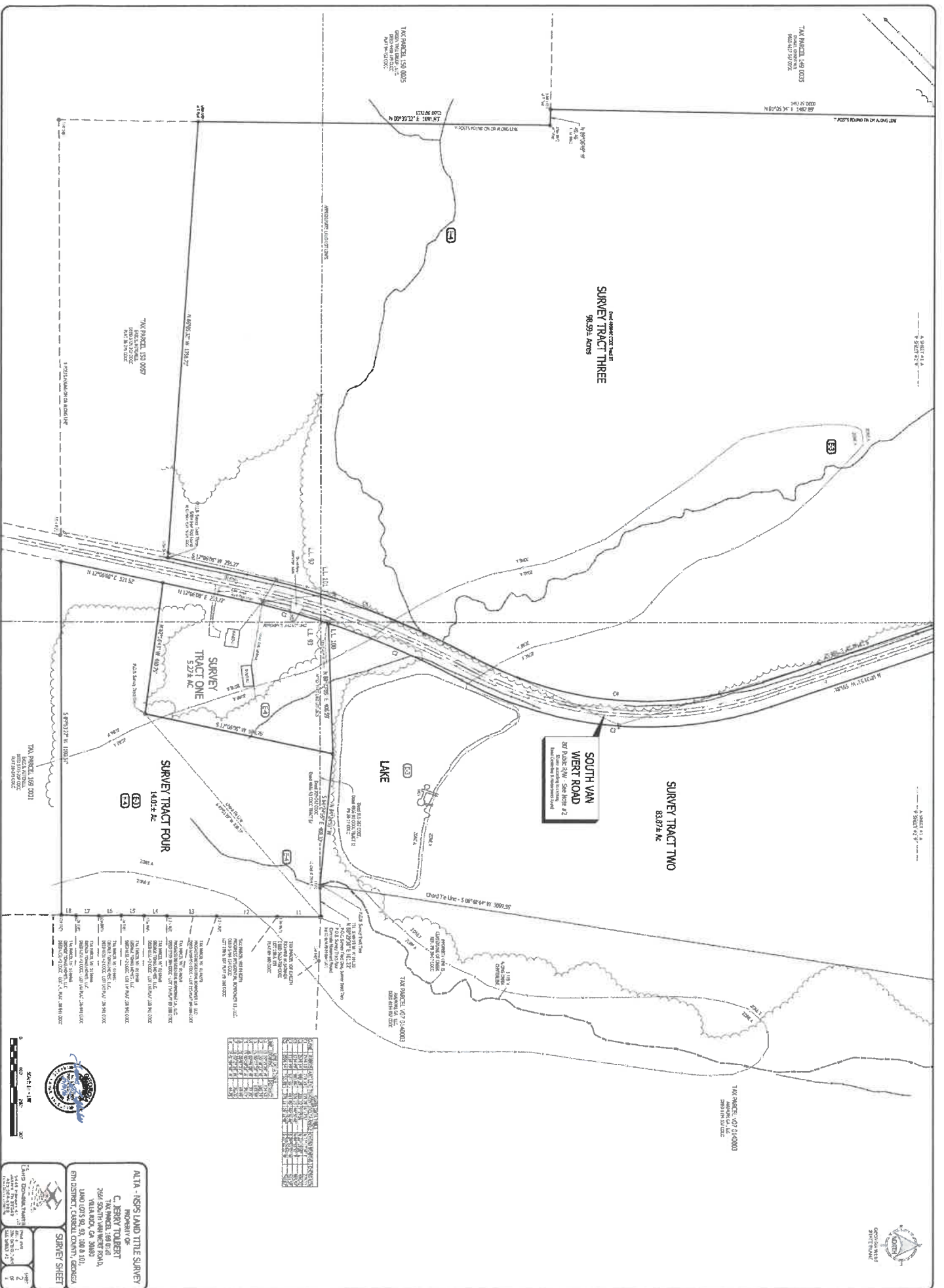
Thence S 82°16'43" E, leaving said Right-of-Way Line and along a new Line, a distance of 410.75 feet to a Capped Iron Rod set;

Thence N 12°06'08" E, along a new Line, a distance of 599.76 feet to a Capped Iron Rod set;

Thence S 84°24'55" E, a distance of 408.32 feet to a point in the Centerline of a Creek;

Thence N 88°29'38" E, leaving said Creek and along the South Line of the property of record in Deed Book 6194, Page 537, COCC, a distance of 101.22 feet to an Iron Rod found to the POINT OF BEGINNING.

Said tract contains 14.01 Acres, more or less.





City of Villa Rica Planning and Zoning
1605 Carrollton Villa Rica Hwy | Villa Rica, GA 30090
678-785-9995 | www.VillaRicaGA.com

ORIGINAL

REZONING APPLICATION

Required Materials to Accompany the Application for Zoning Map Amendment

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 a 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.

Acreage	Residential	Commercial	Industrial	PUD
0-5	\$300	\$600	\$750	\$800
5.1-10	\$400	\$700	\$850	\$1000
10.1-20	\$600	\$1100	\$1100	\$1200
20.1- 30	\$800	\$1200	\$1300	\$1500
30.1- 40	\$900	\$1200	\$1400	\$1600
40.1- 50	\$1000	\$1400	\$1600	\$1800
50.1- 60	\$1100	\$1500	\$1700	\$1900
60.01 +	\$1200+25/acre Max. of \$2500	1600+25/acre Max. of \$4000	1800+25/acre Max. of \$5000	2000+25.99/acre Max. of \$6000

Please Return To:

Shaun Daniels
Planner I
(678) 785-9995
sdaniels@villarica.gov

Renee Kilgore
Administrative Assistant
(678) 840-1283
rkilgore@villarica.gov

Required Materials to Accompany the Application for Text Amendment

1. 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.

Disclosure of Campaign Contributions

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

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

Yes _____ No X

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

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

We certify that the foregoing information is true and correct, this 21st day of March, 2025.

AVEMORE GA LLC

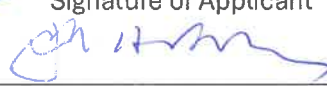
JONATHON WARD, Managing Member

Applicant's Name Printed

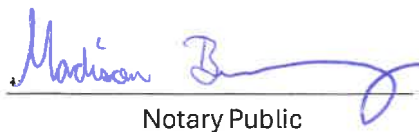

Signature of Applicant

JOSEPH H. FOWLER, ESQ.

Applicant's Attorney, if applicable – Printed


Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 21st day of March, 2025.


Notary Public



☐ Ordinance 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: 3/21/2025

Applicant Name: AVEMORE GA LLC

Address: 1737 Bankhead Hwy. City: Carrollton State: GA Zip: 30116

Phone: 404-709-4394 Email: jonathon@atlasdevelopment.org

Agent Name: Joseph H. Fowler, Esq.

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

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

Owner Name (If different from applicant): See Attached List of Property Owners

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

Phone: _____ 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: PUD & Agriculture Requested Zoning: PUD & PUD Amendment

Property Address: Highway 61 & South Van Wert Road Nearest Intersection: _____

Present Use of Property: Vacant and Residential

Proposed Use: Industrial and Technology Campus

Size of Tract: 428.288 Land Lot Numbers: 92, 93, 99, 100
101, 124 & 125 Districts: 6th

Gross Density: _____ units per acre Net Density: _____ units per acre

Property Tax Parcel Number(s): V07 0140003, V07 0140004, V07 0140151, 168 0090 & portion of 169 0120

(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: _____

PROCESS

Pre-Application Conference (Optional)

Application Filed with Department

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

Planning Commission Hearing

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

Planning Commission Action

Within 60 Days of Close of hearing

Planning Commission Recommendation

Approval, Approval with Conditions, or Denial

City Council Public Hearing

- Within 45 days of PC action
- Consideration of PC action and staff, applicant, and public testimony

DENIAL

City Council Action

APPROVAL

CITY OF VILLA RICA PROJECT STATEMENT

- a. The proposed uses and the effect the proposed use may have on surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Code.

The proposed use of the 428.288 acres (the "Property") is for an industrial and technology campus, which will be constructed in conformity with all City regulations, including the Technology Overlay District requirements. The electric power and water consumption requirements for the technology center will have no impact on adjoining property owners, none of whom will experience any reduction whatsoever in normal utility services. Stormwater management requirements will be followed with respect to all disturbance activities.

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

The City of Villa Rica has adopted the Technology Overlay District which was designed to provide suitable areas within the City which will provide acreage for developments of the type proposed for the Property. The Avemore PUD envisioned approximately 850 residential properties with adjoining commercial uses which would have had a significant impact on property owners in the vicinity. The impact on City infrastructure and County schools has been significantly, if not completely eliminated by the project.

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

There will be minimal impact on the surrounding property owners, as setbacks will be maintained as required by the Technology Overlay District, or otherwise, and an industrial and technology campus is anticipated to have minimal traffic impact on surrounding roadways. The power and water demands for the development will have no impact on the utility requirements of the nearby property owners.

- 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.

This project will provide tax revenues which significantly benefit the provision of services by local governments. The Property of just over 400 acres can be reasonably developed so that adjoining and nearby properties are not impacted by the construction or operation, while the City of Villa Rica and its citizens benefit from clean developments which produce significant revenue.

- e. The proposed time schedule and phasing for development.

Detailed design and planning will continue approximately 18 months to two years following zoning approval, after which time construction will commence. No definitive phasing proposals exist at this point.

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

Agreements are in place for the provision of electrical power and water services. The utility services required for the development will not impact the surrounding residents.

- 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.

Traffic impacts are anticipated to be minimal due to the low traffic demands. Access to the site will be required on South Van Wert Road and Highway 61. Final upgrades will be determined following a development of regional impact review and in conformity with the City's development process.

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

This is a project that requires a DRI (Development of Regional Impact) report from the Three Rivers Regional Development Commission, and an appropriate application will be submitted at the development approval stages.

HARTLEY, ROWE & FOWLER, P.C.

ATTORNEYS AT LAW

JOSEPH H. FOWLER

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

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

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

March 21, 2025

Mayor and City Council
City of Villa Rica
1605 Carrollton Villa Rica Highway
Villa Rica, Georgia 3018.

RE: Rezoning from PUD and Agriculture to PUD (Properties Previously Annexed) and PUD Amendment (Existing Avemore PUD) to Authorize Data Centers, of 428.288 Acres Owned by Avemore GA LLC (386.559 acres), The Matthews Family Trust (32.06 acres) Winchester Real Estate Investment Company, LLC (2.23 acres) & Villa Land Company LLC (7.439 acres) (Tax Parcels V070140003, V070140004, V070140151, 1680090 & portion of 1690120)

LETTER OF INTENT

Dear Mayor and City Council:

This application for rezoning is filed by Avemore GA LLC as to a total of 386.559 acres, by The Matthew Family Trust as to a total of 32.06 acres, by Winchester Real Estate Investment Company, LLC as to a total of 2.23 acres and Villa Land Company LLC as to a total of 7.439 acres seeking the rezoning of the above acreage to PUD for the construction of a an industrial and technology campus.

A total of 204.099 acres owned by Avemore GA LLC, 2.23 acres owned by Winchester Real Estate Investment Company, LLC and 7.439 acres owned by Villa Land Company LLC constitutes the previously approved Avemore PUD, and this application seeks to approve an amendment to the Avemore PUD.

The Applicant specifically requests that the properties made the subject of this application be included in the City's Technology Overlay District.

City of Villa Rica
Page 2
March 21, 2025

Thank you for your attention to this matter.

Respectfully,

HARTLEY, ROWE & FOWLER, P.C.



Joseph H. Fowler

JHF/ses

March 21, 2025

PROPOSED REZONING ON PROPERTY
BY AVMORE GA LLC
NOTICE OF CONSTITUTIONAL CHALLENGE

BACKGROUND

Avemore GA, LLC (“Avemore”), The Matthews Family Trust (“Matthews”), Winchester Real Estate Investment Company, LLC (“Winchester”) and Villa Land Company LLC (“Villa Land”) (collectively the “Owners”) are the Owners of land located at Highway 61 and South Van Wert Road in Villa Rica, Georgia (the “Property”). An application for the rezoning from Agricultural and PUD to PUD for technology uses was filed by the Avemore (the “Applicant”).

PROPOSED USE

The Applicant proposes to rezone to PUD and amend the PUD on Avemore for the development of technology uses on the Property.

CONSTITUTIONAL REQUIREMENTS

In accordance with the requirements of various Georgia cases, including *OS Advertising Company v. Rubin*, 263 Ga. 761 (1994); *Cobb County Board of Commissioners v. Poss*, 257 Ga. 393 (1987); and *Gradous v. Board of Commissioners*, 256 Ga. 469 (1989), it is hereby submitted that, if not rezoned as requested by this action, the Villa Rica City Zoning Ordinance presently in effect, with any amendments, which prohibits the Project, is unconstitutional in that it renders the Property unusable and destroys its marketability. As such, the current zoning classification constitutes a taking of the Property without just and adequate compensation and without due process of law in violation of the Fourteenth Amendment to the United States Constitution and in violation of Article I, Section I, Paragraph I and Article I, Section III, Paragraph I(a) of the Constitution of the State of Georgia. In this connection, the Applicant contends that to deny the

requested rezoning constitutes an abuse of the police power, in that such denial bears no substantial relation to the public health, safety, morality, or general welfare. Accordingly, such action would constitute a deprivation of Property rights without due process of law. Furthermore, to deny the rezoning results in relatively little gain or benefit to the public while inflicting serious injury or loss on the Applicant and Owners. To this extent, such action is confiscatory and void. The Property is best suited for PUD use, as proposed by the Applicant, and to deny the rezoning renders the Property unusable and destroys its marketability. This is a taking of Property without just compensation and without due process of law. In reality, the denial of the requested rezoning causes a detriment to public good, in that the public can be served by the development proposed by the Applicant given the particular location of this Property.

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

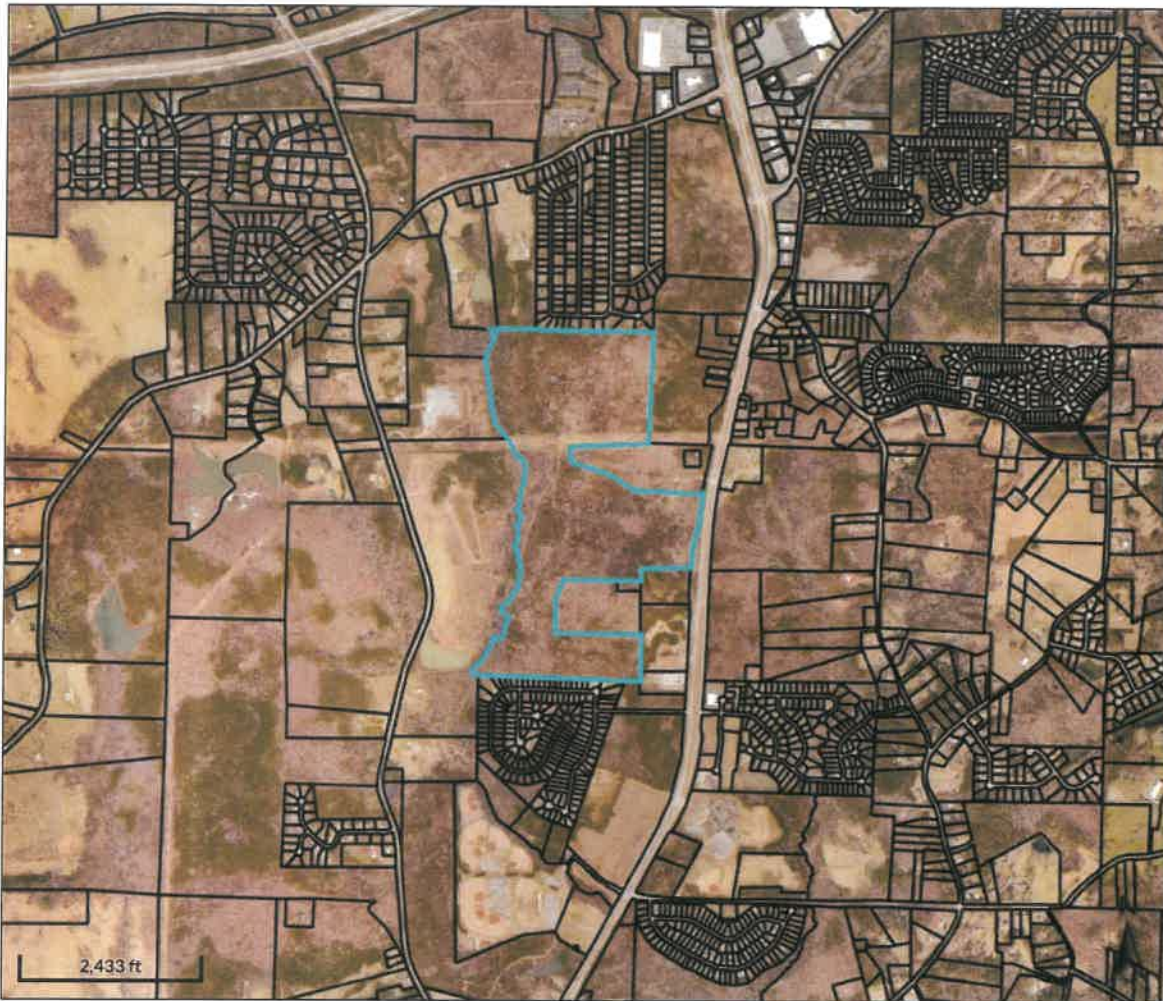
PROPERTY OWNERS

AVEMORE GA, LLC
1737 BANKHEAD HIGHWAY
CARROLLTON, GA 30116
TAX PARCELS: V07 0140003 (LESS WINCHESTER REAL ESTATE INVESTMENT
COMPANY, LLC TRACT), V07 0140004 (LESS VILLA LAND COMPANY LLC TRACT), V07
0140151 & PORTION OF 169 0120

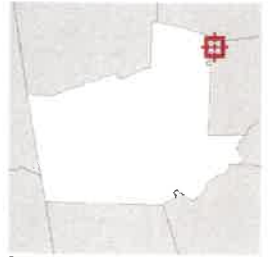
THE MATTHEWS FAMILY TRUST
BRENDA M. MATTHEWS, TRUSTEE
215 W. BANKHEAD HIGHWAY, SUITE A
VILLA RICA, GA 30180
TAX PARCEL: 168 0090

WINCHESTER REAL ESTATE INVESTMENT COMPANY, LLC
55 GOLDWORTH ROAD
VILLA RICA, GA 30180
TAX PARCEL: PORTION OF V07 0140003

VILLA LAND COMPANY LLC
667 MAIN STREET
SUWANEE, GA 30024
TAX PARCEL: PORTION OF V07 0140004



Overview



Legend

- Parcels
- Roads

Parcel ID V07 0140003
Class Code Agricultural
Taxing District VILLA RICA
Acres 192.9

Owner AVEMORE GA LLC
P O BOX 2789
SUWANEE, GA 30024
Physical Address 63 GOLDWORTH RD
Assessed Value Value \$1085626

Last 2 Sales

Date	Price	Reason	Qual
5/8/2024	0	CD	U
5/8/2024	0	CD	U

(Note: Not to be used on legal documents)

Date created: 3/18/2025

Last Data Uploaded: 3/17/2025 6:01:37 PM

Developed by  **SCHNEIDER**
GEOSPATIAL

After Recording Return To:
Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-232516
Tax Map: V07 0140003 & V07 0140004

eFiled and eRecorded
DATE: 10/06/2023
TIME: 3:13 PM
DEED BOOK: 6194
PAGE: 537 - 550
FILING FEES: \$25.00
TRANSFER TAX: \$5,076.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2023-004395
RECORDED BY: DJ
CLERK: Alan J. Lee
Carroll County, GA

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 6th day of October, 2023, between Winchester Real Estate Investment Company, LLC, a Georgia limited liability company, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Avemore GA LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations, and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

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,

Tract I

ALL THAT TRACT or parcel of land lying and being in Land Lot 99 of the 6th District, Carroll County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the northern right-of-way of Old CCC Camp Road which is 216 feet westerly along said right-of-way from its intersection with the centerline of Goldworth Road; running thence westerly along the northerly right-of-way of Old CCC Camp Road 175 feet to a point; running thence northerly, perpendicular to said road 252 feet to a point; running thence easterly parallel to said road 175 feet to a point; running thence southerly perpendicular to said road 252 feet to the POINT OF BEGINNING.

Said property having an address of 55 Goldworth Road, Villa Rica, Georgia 30180.

Together with

Tract II

ALL THAT TRACT or parcel of land lying and being in Land Lot 99, 100 and 125 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the western right of way of Carrollton-Villa Rica Highway, aka State Route 61, with the north line of Land Lot 99; thence westerly along said land lot line to the northwestern corner of Land Lot 99, which is the common corner of Land Lots 99, 100, 125 and 126 of the 6th District; thence running North along the East land lot line of Land Lot 125 a distance of 1,450.00 feet, more or less, to the southeast corner of Lot 16 of Ridgeside Subdivision, Unit 5, as said lot and subdivision are shown and delineated on a plat recorded in Plat Book 30, Page 194, in the Office of the Clerk of Superior Court of Carroll County, Georgia, which plat and the record thereof are by reference incorporated herein; thence leaving said land lot line and running in a westerly direction along the south line of Lots 16, 15, 14, 13, and 12 of Ridgeside Subdivision, Unit 5 as shown on plat recorded in Plat Book 30, Page 194, Lots 37, 36, 35, 34, 33, and 32 of Block "A" of Ridgeside Subdivision on plat recoded in Plat Book 12 Page 27, said Clerk's Office and the south line of property now or formerly owned by Meadowbrook Memory Garden's Inc. a distance of 1,700 feet, more or less, but specifically to Bay Springs Creek; thence running in a southerly direction along the meanderings of said Bay Springs Creek to a point where said creek intersects the south land lot line of Land Lot 100, said District; thence running in an easterly direction along the south land lot line of Land Lot 100 a distance of 2,170 feet, more or less, but specifically to the southeast corner of said Land Lot 100; thence running in a northerly direction along the east land lot line of Land Lot 100 a distance of 1,500 feet, more or less, to a point at the northwest corner of property now or formerly owned by L.W. Thomas; thence running in an easterly direction along the north line of property now or formerly owned by L.W. Thomas a distance of 670 feet, more or less, but specifically to the west right of way of Carrollton-Villa Rica Highway, aka State Route 61; thence running in a northerly direction along the west right of way of said State Route 61 a distance of 1,600 feet more or less, to the north land lot line of Land Lot 99 and the POINT OF BEGINNING.

LESS AND EXCEPT so much of said property was conveyed to George C. Holloway by Warranty Deed dated August 28, 1958, recorded in Deed Book 117, Page 454, Carroll County, Georgia records.

Being the same property conveyed from Felix A. Williams to Eunice Inez Mitchell by Warranty Deed dated July 5, 1962, recorded in Deed Book 137, Page 545, Carroll County Deed Records, LESS AND EXCEPT that property described in the following deeds: Warranty Deed to Earnest W. Cardell and Lela S. (Mrs. Ernest W.) Cardell, dated August 25, 1967, recorded in Deed Book 193, Page 361, Right of Way Deed to Department of Transportation dated August 26, 1986, recorded in Deed Book 547, Page 448, and Warranty Deed to the City of Villa Rica, Georgia, a municipal corporation, dated March 5, 1987, recorded in Deed Book 555, Page 131, said Deed records.

Being the same property conveyed from William G. Mitchell, Jr., Executor of the Estate of Inez Williams Mitchell to William G. Mitchell, Jr., Patricia DeWitt and John Mitchell in Executor's Deed of Assent recorded in Deed Book 864, Page 77, in the Office of the Clerk of Superior Court of Carroll County, Georgia.

This conveyance is subject to that conservation easement granted to the Chattahoochee Open Land Trust, Inc. with respect to a portion of the above-described property, said easement being recorded in Deed Book 2083, Page 339, Carroll, Georgia records.

Said property having an address of 63 Goldworth Road, Villa Rica, Georgia 30180

LESS AND EXCEPT:

The commercial, retail, and office lot number RT-015 according to the Engineered Master Plan PP-004, of Avemore Master Planned Community map dated 9/1/2021, being 2.23 acres, more or less.

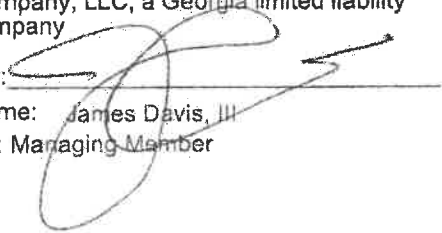
SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

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

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

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 6th day of October, 2023.

Winchester Real Estate Investment
Company, LLC, a Georgia limited liability
company

By: 

Name: James Davis, III
Its: Managing Member

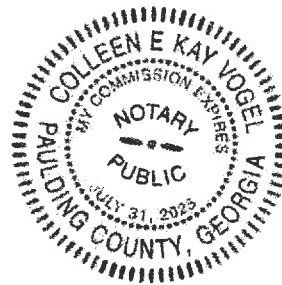
Signed, sealed and delivered in the presence of:

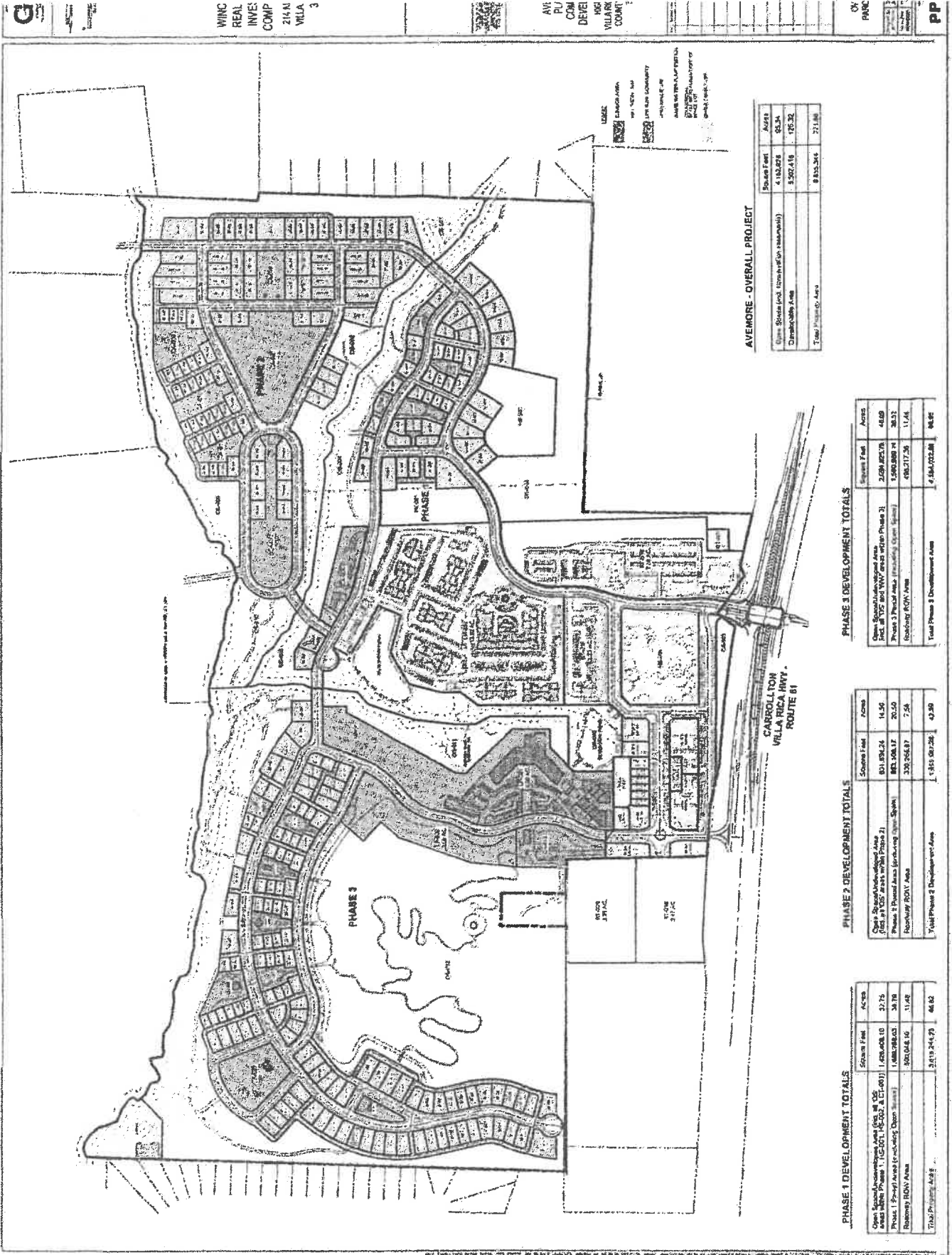


Unofficial Witness


Notary Public

My Commission Expires: _____





AVEMORE - OVERALL PROJECT

Source Feet	Acres
Open Space (incl. stormwater management)	4,132.078
Developable Area	5,207.418
Total Project Area	9,339.496

PHASE 1 DEVELOPMENT TOTALS

Source Feet	Acres
Open Space/Undeveloped Area (incl. all OS areas within Phase 1, US-01, H&C-02, & C1-01)	4,200.078
Phase 1 Paved Area (including Open Space)	1,480.000
Phase 1 Roadway Right-of-Way Area	300.000
Total Phase 1 Development Area	5,980.078

PHASE 2 DEVELOPMENT TOTALS

Source Feet	Acres
Open Space/Undeveloped Area (incl. all OS areas within Phase 2)	831.000
Phase 2 Paved Area (including Open Space)	863.000
Phase 2 Roadway Right-of-Way Area	330.000
Total Phase 2 Development Area	1,924.000

PHASE 3 DEVELOPMENT TOTALS

Source Feet	Acres
Open Space/Undeveloped Area (incl. all OS areas within Phase 3)	2,000.000
Phase 3 Paved Area (including Open Space)	1,500.000
Phase 3 Roadway Right-of-Way Area	480.000
Total Phase 3 Development Area	3,980.000

CV
PARC

PP



Overview



Legend

-  Parcels
-  Roads

Parcel ID V07 0140004
Class Code Residential
Taxing District VILLA RICA
Acres 11.19

Owner AVEMORE GA LLC
P.O. BOX 2789
SUWANEE, GA 30024
Physical Address 55 GOLDWORTH RD
Assessed Value Value \$363077

Last 2 Sales			
Date	Price	Reason	Qual
5/8/2024	0	CD	U
10/6/2023	\$5076000	MP	U

(Note: Not to be used on legal documents)

Date created: 3/20/2025

Last Data Uploaded: 3/19/2025 6:00:47 PM

Developed by  **SCHNEIDER**
GEOSPATIAL

After Recording Return To:
Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-232516
Tax Map: V07 0140003 & V07 0140004

CROSS REFERENCE: DEED BOOK 6194
PAGE 4537 CARROLL COUNTY, GA RECORDS

eFiled and eRecorded
DATE: 09/04/2024
TIME: 11:48 AM
DEED BOOK: 6271
PAGE: 539 - 541
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2024-003876
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

CORRECTED LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 8th day of May, 2024, between Winchester Real Estate Investment Company, LLC, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Avemore GA, LLC, as party or parties of the second part, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations, and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

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,

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Said property having an address of 55 Goldworth Road, Villa Rica, Georgia 30180.

Together with

Tract II

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LESS AND EXCEPT so much of said property was conveyed to George C. Holloway by Warranty Deed dated August 28, 1958, recorded in Deed Book 117, Page 454, Carroll County, Georgia records.

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This conveyance is subject to that conservation easement granted to the Chattahoochee Open Land Trust, Inc. with respect to a portion of the above-described property, said easement being recorded in Deed Book 2083, Page 339, Carroll, Georgia records.

Said property having an address of 63 Goldworth Road, Villa Rica, Georgia 30180

LESS AND EXCEPT:

Commencing at a right of way monument set at an angle point on westerly sideline of Georgia Highway Route 61, thence running N86° 32' 39"W Five hundred four and forty one hundredths (504.41) feet to the point of beginning, thence turning and running S00° 00'07"W Four hundred thirty nine and fifty hundredths (439.50) feet to a point, thence turning and running S44° 59' 53"E Eighteen and eighty eight hundredths (18.88) feet to a point, thence turning and running N89° 59' 53"W Two hundred ten and eighty nine hundredths (210.89) feet to a point, thence turning and running N00° 00' 00" E Four hundred ninety nine and ninety two hundredths (499.92) feet to a point, thence turning an running S89° 59' 53"E Sixty eight and forty three hundredths (68.43) feet to a point, thence Along curve to the right having a one hundred seventy five and no hundredths (175.00) feet radius an arc distance of fifty three and fourteen hundredths (53.14) feet feet to a point, thence S72° 35' 58"E Sixty five and forty eight hundredths (65.48) feet to a point, thence turning and running S36°17' 56"E Twenty four and eighteen hundredths (24.18) feet to the point of beginning.

Containing 97,062 square feet more or less (2.23 acres more or less)

Corrected Limited Warranty Deed being filed to correct less and except on Limited Warranty Deed filed in Deed Book 6194, Page 537 in Carroll, Georgia records.

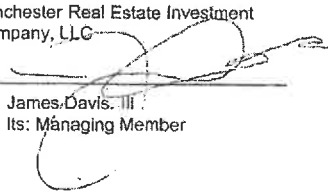
SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

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

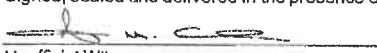
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

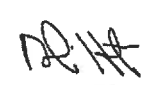
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 8th day of May, 2024.

Winchester Real Estate Investment
Company, LLC

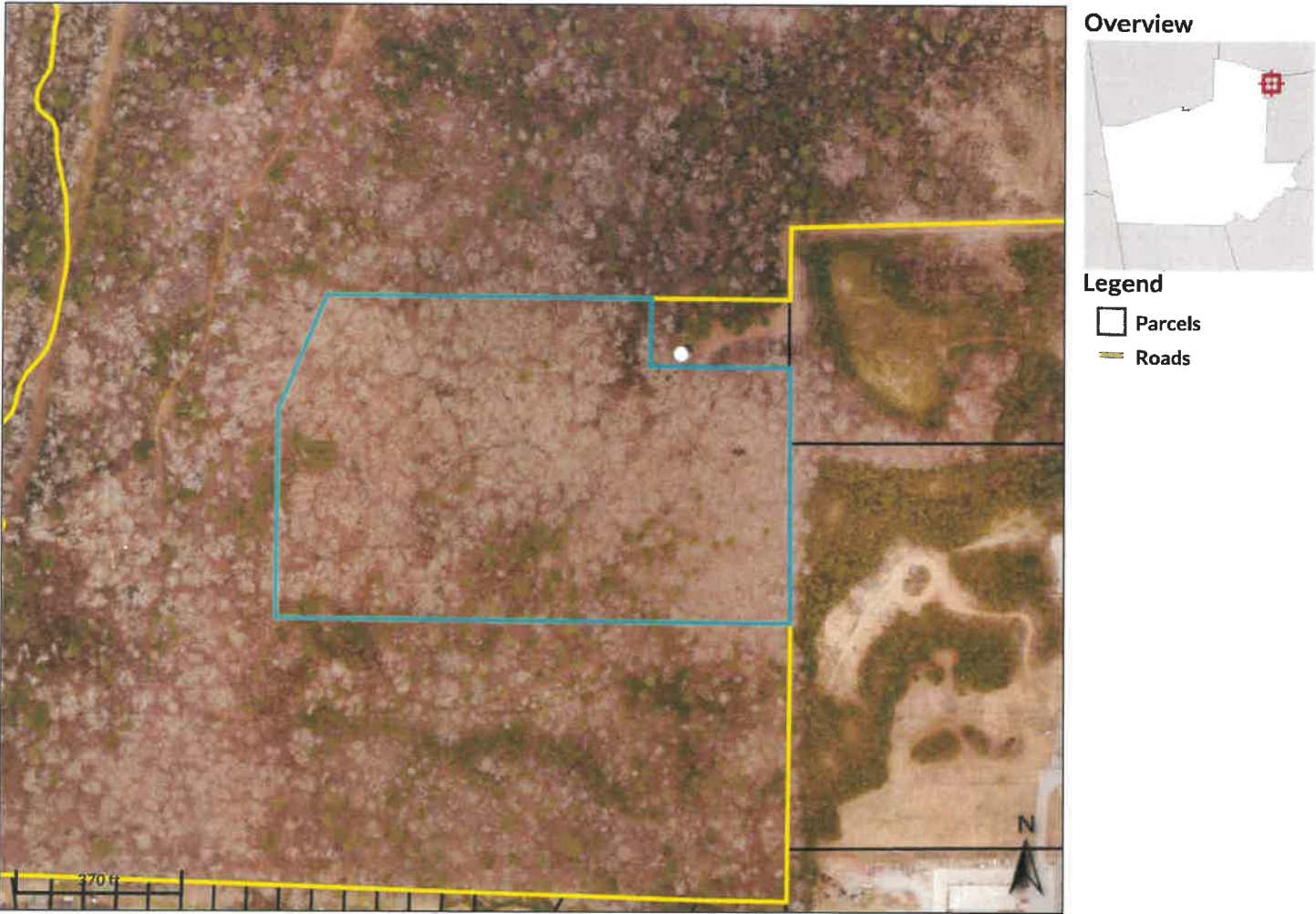
By: 
James Davis, III
Its: Managing Member

Signed, sealed and delivered in the presence of:


Unofficial Witness:

Notary Public: 
My Commission Expires: _____

David Houtsma
Notary Public
Forsyth County, State of Georgia
My Commission Expires Dec 3, 2026



Parcel ID	V07 0140151	Owner	AVEMORE GA LLC		Last 2 Sales			
Class Code	Residential		PO BOX 2789		Date	Price	Reason	Qual
Taxing District	VILLA RICA		SUWANEE, GA 30024		10/6/2023	\$324000	FM	Q
Acres	16.29	Physical Address	CARROLLTON VILLA RICA HWY		8/30/2018	0	LA	U
		Assessed Value	Value \$32580					

(Note: Not to be used on legal documents)

Date created: 3/20/2025
 Last Data Uploaded: 3/19/2025 6:00:47 PM

Developed by  **SCHNEIDER**
 GEOSPATIAL

After Recording Return To:
Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-232516
Tax Map: V07 01040151

eFiled and eRecorded
DATE: 10/06/2023
TIME: 3:13 PM
DEED BOOK: 6194
PAGE: 551 - 562
FILING FEES: \$25.00
TRANSFER TAX: \$324.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2023-004397
RECORDED BY: DJ
CLERK: Alan J. Lee
Carroll County, GA

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 6th day of October, 2023, between HDRMP, LLC, a Georgia limited liability company, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Avemore GA LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations, and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

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 100 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

Beginning at a point on the East line of Land Lot 100, said point being located 570.84 feet North of the southeast corner of Land Lot 100, thence running North 89 degrees 31 minutes 13 seconds West for a distance of 1,100.00 feet to a point; thence running North 00 degrees 28 minutes 47 seconds East for a distance of 450.00 feet to a point; thence running North 22 degrees 40 minutes 01 seconds East for a distance of 266.45 feet to a point; thence running South 89 degrees 26 minutes 00 seconds East for a distance of 609.73 feet to a point; thence running South 00 degrees 36 minutes 57 seconds West for a distance of

145.20 feet to a point; thence running South 89 degrees 26 minutes 00 seconds East for a distance of 300.00 feet to a point on the East line of Land Lot 100, thence running South 00 degrees 28 minutes 47 seconds West for a distance of 550.00 feet to the Point of Beginning.

Said tract containing 16.29 acres.

Said tract of land is expressly LESS AND EXCEPT any portion of the above tracts and parcels previously conveyed by Right of Way Deed, sell off, or deed to third parties.

SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

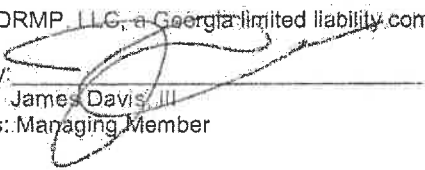
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in Fee Simple.

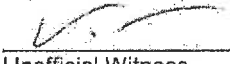
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

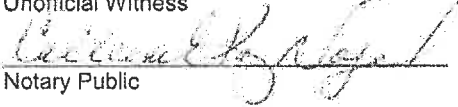
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 6th day of October, 2023.

Signed, sealed and delivered in the presence of:

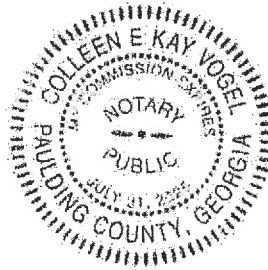
HDRMP, LLC, a Georgia limited liability company

By: 
James Davis, III
Its: Managing Member


Unofficial Witness


Notary Public

My Commission Expires: _____





Overview



Legend

-  Parcels
-  Roads

Parcel ID 169 0120 *(Portion of)*
 Class Code Agricultural
 Taxing District COUNTY
 Acres ~~204.53~~ *182.46*

Owner TOLBERT C JERRY
 2398 S VAN WERT RD
 VILLA RICA, GA 30180
 Physical Address 2664 S VAN WERT RD
 Assessed Value Value \$962946

Last 2 Sales			
Date	Price	Reason	Qual
7/8/2014	\$680	QC	U
11/4/1996	0	LG	U

(Note: Not to be used on legal documents)

Now - Avemore GA LLC

Date created: 3/18/2025
 Last Data Uploaded: 3/17/2025 6:01:37 PM

Developed by  **SCHNEIDER**
 GEOSPATIAL

eFiled and eRecorded
DATE: 12/18/2024
TIME: 4:07 PM
DEED BOOK: 6297
PAGE: 320 - 326
FILING FEES: \$25.00
TRANSFER TAX: \$7,200.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2024-005456
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

AFTER RECORDING RETURN TO:

Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-242749
Tax Map: 169 0120

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 16th day of December, 2024, between C. Jerry Tolbert, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Avemore GA LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations, and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

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,

TRACT 1: All that tract or parcel of property lying and being in Land Lots 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as all that property shown as Tracts A, B and the "OUT" parcel depicted on that certain survey entitled "Property Survey for Jerry Tolbert" prepared by Douglas C. Crawford, Georgia Registered Land Surveyor No. 1833, which plat is recorded in Plat Book 19, Page 8, in the Office of the Clerk of Superior Court of Carroll County, Georgia, and which plat and record thereof are incorporated herein for a more complete and particular description of said tract.

LESS AND EXCEPT: All that tract or parcel of land lying and being in Land Lots 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

Beginning at an iron pin located on the Northeastern Land Lot corner of Land Lot 101, which is also the Northwestern Land Lot corner of Land Lot 100; thence running South along the Eastern Land Lot Line of

Land Lot 101 and the Western Land Lot Line of Land Lot 100 a distance of 141.46 feet; thence running South 89 degrees 8 minutes 38 seconds West a distance of 280.96 feet to a right of way monument located on the Eastern right of way of Van Wert Road; thence running in a Southerly direction along the right of way of Van Wert Road South 18 degrees 20 minutes 37 seconds East 180.27 feet; thence continuing along the right of way along the same bearing an additional 204.73 feet to an iron pin which is the TRUE POINT OF BEGINNING; thence running North 89 degrees 08 minutes 38 seconds East a distance of 831.50 feet; thence running South 18 degrees 20 minutes 37 seconds East 710.00 feet; thence running South 80 degrees 48 minutes 45 seconds West to an iron pin on the Southerly right of way of Van Wert Road; thence running North 16 degrees 59 minutes 34 seconds West 253.18 feet along the right of way of Van Wert Road and continuing North 18 degrees 04 minutes 25 seconds West 513.30 feet along such right of way to the point which is the True Point of Beginning.

TRACT II: All that tract or parcel of property lying and being in Land Lot 100 of the 6th District of Carroll County, Georgia, and being more particularly described as that certain tract shown on that plat entitled "Plat for Jerry Tolbert" prepared by Douglas C. Crawford, Georgia Registered Land Surveyor No. 1833, which plat is recorded at Plat Book 28, Page 25, in the Office of the Clerk of Superior Court of Carroll County, Georgia, which plat and record thereof are incorporated herein for a more complete and particular description of said property.

TRACT III: All that tract or parcel of property lying and being in Land Lots 92, 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as beginning at a concrete post which is located at the Northeast corner of Land Lot 101, that being also the Northwest corner of Land Lot 92; thence running in a Southerly direction along the Eastern Land Lot Line of Land Lot 101, that being the Western Land Lot Line of Land Lot 92 with a bearing of North 87 degrees 20 minutes 40 seconds West 1,552.59 feet to the TRUE POINT OF BEGINNING; thence running North 01 degrees 35 minutes 24 seconds East 645.94 feet; thence running North 88 degrees 00 minutes 45 seconds West 49.32 feet; thence running North 02 degrees 02 minutes 40 seconds East 1,483.25 feet; thence running South 89 degrees 44 minutes 50 seconds East 887.83 feet; thence running South 88 degrees 00 minutes 55 seconds East 596.13 feet to an iron pin which is located on the Westerly right of way of Van Wert Road; thence continuing along the Westerly right of way of Van Wert Road South 17 degrees 07 minutes 12 seconds East 934.27 feet; thence continuing along such right of way in an arc with a bearing of South 05 degrees 10 minutes 40 seconds West a chord of 740.34 feet, a distance of 754.54 feet, and a radius of 1,119.62 feet; thence continuing along such right of way South 25 degrees 33 minutes 33 seconds West 453.71 feet; thence continuing along such right of way in an arc with a bearing of South 17 degrees 46 minutes 19 seconds West a chord of 363.33 feet, a length of 363.70 feet, and a radius of 2,327.84 feet; thence continuing along such right of way South 13 degrees 02 minutes 28 seconds West a distance of 288.48 feet; thence running North 85 degrees 04 minutes 36 seconds West 1,358.73 feet; thence running North 01 degrees 35 minutes 24 seconds East 446.12 feet to the True Point of Beginning.

TRACT IV: All that tract or parcel of property lying and being in Land Lots 92 and 93 of the 6th District of Carroll County, Georgia, and being more particularly described as beginning at a concrete post which is located at the Northwestern corner of Land Lot 93, which is also the Northeastern corner of Land Lot 92, which is the TRUE POINT OF BEGINNING; thence running South 88 degrees 17 minutes 28 seconds East 918.78 feet; thence running South 01 degrees 26 minutes 33 seconds West 806.62 feet; thence running North 89 degrees 17 minutes 00 seconds West 1,102.92 feet to an iron pin located on the Easterly right of way of Van Wert Road; thence continuing in a Northerly direction along such right of way North 13 degrees 08 minutes 21 seconds East 609.09 feet; thence continuing along such right of way in an arc with a bearing of North 16 degrees 18 minutes 33 seconds East a chord of 236.33 feet, a distance of 236.44 feet, and a radius of 2,247.84 feet to the concrete post which is the True Point of Beginning.

And Also:

All that tract or parcel of land lying and being in Carroll County, Georgia, being in Land Lot 100, 6th District and more particularly described as follows: Beginning on the west right of way of Van Wert Road, at an iron pin, which point is 525 feet, more or less, southeasterly along the west right of way of Van Wert Road from the southeast corner of the property, now or formerly owned by William F. Brown; thence west a distance of 325 feet, more or less, but specifically to the original west line of land lot 100, an iron pin; thence south along said land lot line 200 feet to an iron pin; thence east a distance of 326 feet, more or less, but specifically to the west right of way of Van Wert Road, an iron pin; thence northwesterly along the west right of way of Van Wert Road 200 feet to the point of beginning. This property having situated thereon a four room frame dwelling.

And Also:

All that tract or parcel of land lying and being in Land Lots 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

Beginning at an iron pin located on the Northeastern Land Lot corner of Land Lot 101, which is also the Northwestern Land Lot corner of Land Lot 100; thence running South along the Eastern Land Lot Line of Land Lot 101 and the Western Land Lot Line of Land Lot 100 a distance of 141.46 feet; thence running South 89 degrees 8 minutes 38 seconds West a distance of 280.96 feet to a right of way monument located on the Eastern right of way of Van Wert Road; thence running in a Southerly direction along the right of way of Van Wert Road South 18 degrees 20 minutes 37 seconds East 180.27 feet; thence continuing along the right of way along the same bearing an additional 204.73 feet to an iron pin which is the TRUE POINT OF BEGINNING; thence running North 89 degrees 08 minutes 38 seconds East a distance of 831.50 feet; thence running South 18 degrees 20 minutes 37 seconds East 710.00 feet; thence running South 80 degrees 48 minutes 45 seconds West to an iron pin on the Southerly right of way of Van Wert Road; thence running North 16 degrees 59 minutes 34 seconds West 253.18 feet along the right of way of Van Wert Road and continuing North 18 degrees 04 minutes 25 seconds West 513.30 feet along such right of way to the point which is the True Point of Beginning.

Such property being a portion of that tract shown as Tract B on a certain plat recorded in Plat Book 19, Page 8, Carroll County Public Deed Records.

LESS AND EXCEPT:

Land Located in Land Lot 92, 93 & 100, 6th District, Carroll County, Georgia. Being a portion the property of C. Jerry Tolbert of record in Deed Book 4906, Page 90, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West State Plane Coordinate System, North American Datum of 1983, as follows:

COMMENCE at a Concrete Monument found at the Northwest Corner of The Trails at Charleston Place, Phase Two, of record in Plat Book 89, Page 180, COCC;
Thence along a Chord Tie Line having a Bearing of S 49°03'39" W, a distance of 838.37 feet to a Capped Iron Rod (set) which is the POINT OF BEGINNING;

Thence N 82°16'43" W, along a new Line, a distance of 410.75 feet to a Capped Iron Rod set in the Eastern Right-of-Way Line of South Van Wert Road;
Thence N 12°06'08" E, along said Right-of-Way Line, a distance of 253.72 feet;
Thence continuing along said Right-of-Way Line and with a curve to the right with an arc length of 279.25 feet, with a radius of 2,574.54 feet, with a chord bearing of N 15°12'34" E, with a chord length of 279.11 feet to a Capped Iron Rod set;
Thence N 88°03'05" E, leaving said Right-of-Way Line and along a new Line, a distance of 406.59 feet to a Capped Iron Rod set;
Thence S 12°06'08" W, along a new Line, a distance of 599.76 feet to the POINT OF BEGINNING.

Said tract contains 5.27 Acres, more or less.

SUBJECT to those matters described on Exhibit "A" attached hereto.

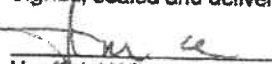
TO HAVE AND TO HOLD the said tract or parcel of land, which all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in Fee Simple.

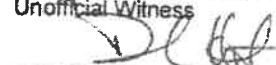
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 16th day of December, 2024.


C. Jerry Tolbert

Signed, sealed and delivered in the presence of:


Unofficial Witness


Notary Public

My Commission Expires: _____

David Houtsma

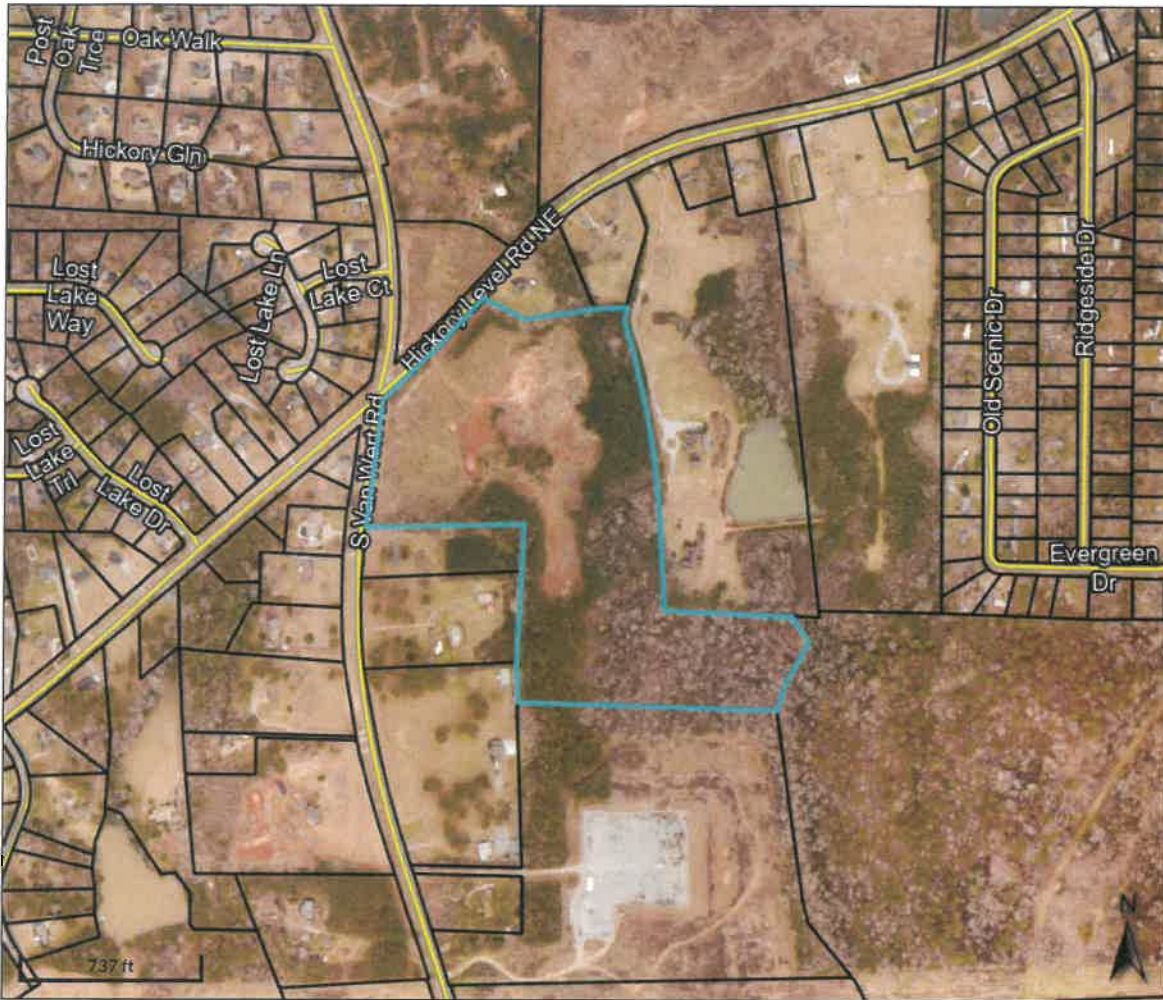
Notary Public

Forsyth County, State of Georgia

My Commission Expires Dec 3, 2026

EXHIBIT "A"

1. Taxes for the year 2025 and subsequent years, not yet due and payable.
2. All matters shown on that certain ALTA survey of the Property dated December 12, 2024, prepared by The Land Consultants.



Overview



Legend

- Parcels
- Roads

Parcel ID 168 0090
Class Code Consv Use
Taxing District COUNTY
Acres 32.06

Owner THE MATTHEWS FAMILY TRUST
215 W BANKHEAD HIGHWAY
SUITE A
VILLA RICA, GA 30180
Physical Address HICKORY LEVEL RD
Assessed Value Value \$340952

Last 2 Sales	Date	Price	Reason	Qual
	12/27/2024	0	LA	U
	12/27/2024	0	FS	U

(Note: Not to be used on legal documents)

Date created: 3/18/2025

Last Data Uploaded: 3/17/2025 6:01:37 PM

Developed by  SCHNEIDER
GEOSPATIAL

AFFIDAVIT

Authorization by Property Owner

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

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

Name of Applicant: AVEMORE GA LLC

Address:

P.O. 2789

Suwanee, GA 30024

Telephone Number: 404-709-4394

MATTHEWS FAMILY TRUST

Owner (Printed Name)

BRENDA M. MATTHEWS, TRUSTEE

Brenda M. Matthews

Signature of Owner

3/19/2025

Date

Personally Appeared Before Me:

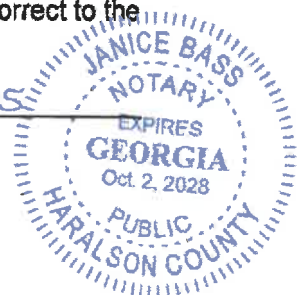
Who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.

Janice Bass

Notary Public

3/19/2025

Date



Please return to:
Jeff R. Matthews
215 W. Bankhead Hwy., Ste A
Villa Rica, GA 30180

STATE OF GEORGIA
COUNTY OF CARROLL

eFiled and eRecorded
DATE: 12/27/2024
TIME: 9:46 AM
DEED BOOK: 6298
PAGE: 778 - 779
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 5979818353
PT61: 022-2024-005572
RECORDED BY: SM
CLERK: Alan J. Lee
Carroll County, GA

WARRANTY DEED

THIS INDENTURE made this 27th day of December 2024 between

JEFF R. MATTHEWS

as party or parties of the first part, hereinafter called Grantor, and

BRENDA M. MATTHEWS AS TRUSTEE OF THE MATTHEWS FAMILY TRUST

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 DOLLARS and other good and valuable consideration (\$10.00) 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, the following described property:

All OF Assessor Tax Parcel 168 - 0090 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land lot 124 and 125 of the 6th District of Carroll County, Georgia, as being more particularly described as follows: Beginning at the intersection of the south right of way of Hickory Level Road (60 foot) and the east right of way of Van Wert Road (80 foot) running south 6 degree 16 minutes 6 seconds west a distance of 504.9 feet to an iron pin and rock corner; running thence North 87 degrees 41 minutes 55 seconds west a distance of 62LS feet to an iron pin; running thence south 2 degrees 7 minutes 27 seconds west distance of 210 feet to an iron pin; running thence south 1 degrees 45 minutes 7 seconds west to the Georgia Transmission Corporation line; running thence east along the Georgia Transmission Corporation line to a branch and the Michell line; running thence north along the branch to a point; running thence north 85 degrees 5 minutes 36 seconds west a distance to an iron pin; running thence north 4 degrees 2 minutes 18 seconds west a distance of 652.7 feet; running thence north 11 degrees 20 minutes 10 seconds west a distance of 148.3 feet; running thence north 15 degrees 9 minutes 17 seconds west a distance of 350.15 feet to an iron pin; running thence north 12 degrees 33 minutes 37 seconds east a distance of 252.03 feet to an iron pin; running thence south 86 degrees 51 minutes 29 seconds west a distance of 214.35 feet to an iron pin; running thence north 11 degrees 46 minutes 19 seconds west a distance of 214.35 more or less to an iron pin on the south right of way of Hickory Level Road; running thence southwest a distance of 1,082 feet more or less to the point of beginning.

LESS AND EXCEPT: That property conveyed to Nalley by a deed dated January 5, 1983, and recorded at Deed Book 445, Page 129, in the Office of the Clerk of the Superior Court of Carroll County, Georgia, said tract being 2 acres.

ALSO LESS AND EXCEPT: A portion of that property conveyed to Tomlinson by a deed dated November 15, 1990, and recorded at Deed Book 683, Page 406, in the Office of the Clerk of the superior Court of Carroll County, Georgia

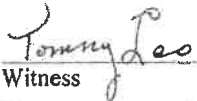
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

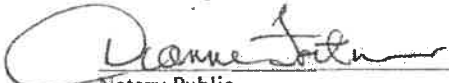
AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

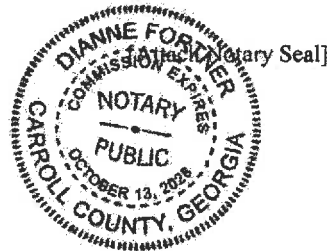
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered in the presence of:


by: JEFF R. MATTHEWS (Seal)


Witness


Notary Public
My commission expires



AFFIDAVIT

Authorization by Property Owner

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

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

Name of Applicant: AVEMORE GA LLC

Address:

P.O. 2789

Suwanee, GA 30024

Telephone Number: 404-709-4394

WINCHESTER REAL ESTATE INVESTMENT COMPANY, LLC

Owner (Printed Name)

JAMES W. DAVIS, III, Managing Member

Signature of Owner

Date

Personally Appeared Before Me:

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

Notary Public

Date

After Recording Return To:
Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-232516
Tax Map: V07 0140003

eFiled and eRecorded
DATE: 09/04/2024
TIME: 11:48 AM
DEED BOOK: 6271
PAGE: 542 - 543
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2024-003877
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

QUIT CLAIM DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made the 8th day of May, 2024, between Avemore GA, LLC, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Winchester Real Estate Investment Company, LLC of the County of Carroll, and the State of Georgia, as party or parties of the second part, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

WITNESSETH that: Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, cash in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUIT CLAIM unto said Grantee,

Commencing at a right of way monument set at an angle point on westerly sideline of Georgia Highway Route 61, thence running N86° 32' 39"W Five hundred four and forty one hundredths (504.41) feet to the point of beginning, thence turning and running S00° 00' 07"W Four hundred thirty nine and fifty hundredths (439.50) feet to a point, thence turning and running S44° 59' 53"E Eighteen and eighty eight hundredths (18.88) feet to a point, thence turning and running N89° 59' 53"W Two hundred ten and eighty nine hundredths (210.89) feet to a point, thence turning and running N00° 00' 00" E Four hundred ninety nine and ninety two hundredths (499.92) feet to a point, thence turning an running S89° 59' 53"E Sixty eight and forty three hundredths (68.43) feet to a point, thence Along curve to the right having a one hundred seventy five and no hundredths (175.00) feet radius an arc distance of fifty three and fourteen hundredths (53.14) feet feet to a point, thence S72° 35' 58"E Sixty five and forty eight hundredths (65.48) feet to a point, thence turning and running S36° 17' 56"E Twenty four and eighteen hundredths (24.18) feet to the point of beginning.

Containing 97,062 square feet more or less (2.23 acres more or less)

SUBJECT to restrictive covenants and general utility easements of record.

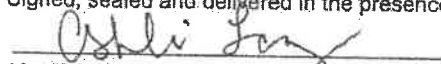
TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

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

Avenmore GA LLC, a Georgia limited
liability company

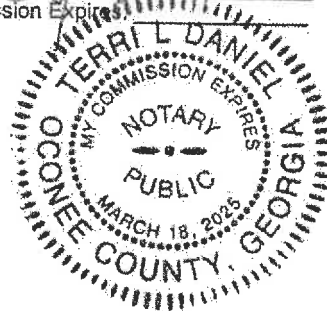

By: J. Michael Embry, its sole
member

Signed, sealed and delivered in the presence of:


Unofficial Witness

Notary Public:

My Commission Expires



AFFIDAVIT

Authorization by Property Owner

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

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

Name of Applicant: AVEMORE GA LLC

Address:

P.O. 2789

Suwanee, GA 30024

Telephone Number: 404-709-4394

VILLA LAND COMPANY LLC

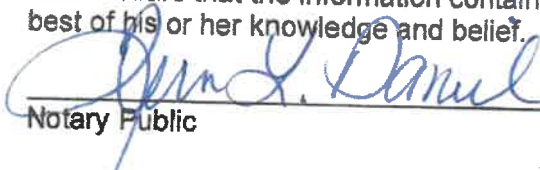
Owner (Printed Name)
MIKE EMBRY, Managing Member

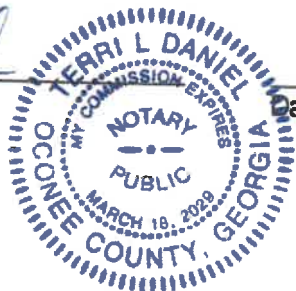

Signature of Owner

3-20-2025
Date

Personally Appeared Before Me:

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


Notary Public



3/20/25
Date

After Recording Return To:
Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-242565
Parcel No V07 0140003

eFiled and eRecorded
DATE: 01/12/2024
TIME: 3:17 PM
DEED BOOK: 6214
PAGE: 251 - 253
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2024-000164
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 5th day of January, 2024, between Avemore GA LLC, a Georgia limited liability company, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Villa Land Company LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations, and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

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,

Beginning at an iron pipe at the southeast corner of the lot and the westerly sideline of Georgia Highway Route 61 thence running S88° 50' 42"W Six hundred forty and fifty-four hundredths (640.54) feet to a point; thence turning and running S00° 39' 43"W Thirty seven and twenty four hundredths (37.24) feet to a point; thence turning and running N89° 24' 58"W Two hundred twenty nine and thirty eight hundredths (229.38) feet to a point; thence turning and running N00° 00' 07"E One hundred eighty and eighty six hundredths (180.86) feet to a point; thence turning and running N70° 00' 07"E Thirty one and eighty six hundredths (31.86) feet to a point; thence turning and running Along a non-tangent curve to the right having a two hundred and sixty two and four hundredths (262.04) feet radius an arc distance of Two hundred fifteen and twenty eight hundredths (215.28) feet with a chord bearing of S86° 27' 36"E and a chord distance of Two hundred nine and twenty eight hundredths (209.28) feet to a point; thence S62° 45' 05"E Sixty and ninety two hundredths (60.92) feet to a point; thence turning and running Along a non-tangent curve to the left having a Two hundred forty eight and no hundredths (248.00) feet

radius an arc distance of One hundred seventeen and sixty four hundredths (117.64) with a chord bearing of S76° 20' 46"E and a chord distance of One hundred sixteen and fifty four hundredths (116.54) feet to a point; thence N00° 03' 51"E Fifty and no hundredths (50.00) feet to a point; thence turning and running S89° 56' 09"E Thirty five and thirty hundredths (35.30) feet to a point; thence turning and running N00° 00'07"E Three hundred forty six and four hundredths (346.04) feet to a point; thence turning and running S89° 59' 53"E Thirty nine and fifty hundredths (39.50) feet to a point; thence turning and running N00° 00'07"E One hundred ninety one and thirty five hundredths (191.35) feet to a point; thence turning and running S44° 59' 53"E Eighteen and eighty eight hundredths (18.88) feet to a point; thence turning and running S89° 59' 53"E Three hundred thirty nine and sixty five hundredths (339.65) feet to a point; thence turning and running S00° 00'07"W Three hundred seventy four and seventy seven hundredths (374.77) feet to a point; thence turning and running Along a tangent curve to the right having a Four hundred forty seven and fifty hundredths (447.50) feet radius an arc distance of Twenty nine and seven hundredths (29.07) feet to a point; thence S03° 43'28"W One hundred twenty and eighty nine hundredths (120.89) feet to a point; thence turning S86° 18'19"E Fifty two and ninety hundredths (52.90) feet to a point at said Georgia Highway Route 61 thence turning and running S03° 41'41"W One hundred twenty two and no hundredths (122.00) feet to the point of beginning.

Containing 324,044 square feet more or less (7.44 acres more or less)

SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

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

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

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 5th day of January, 2024.

Avemore GA LLC, a Georgia limited liability company

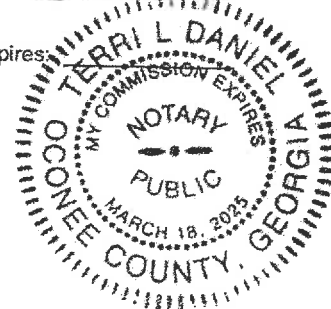
By: J. Michael Embury, Sole member

Signed, sealed and delivered in the presence of:

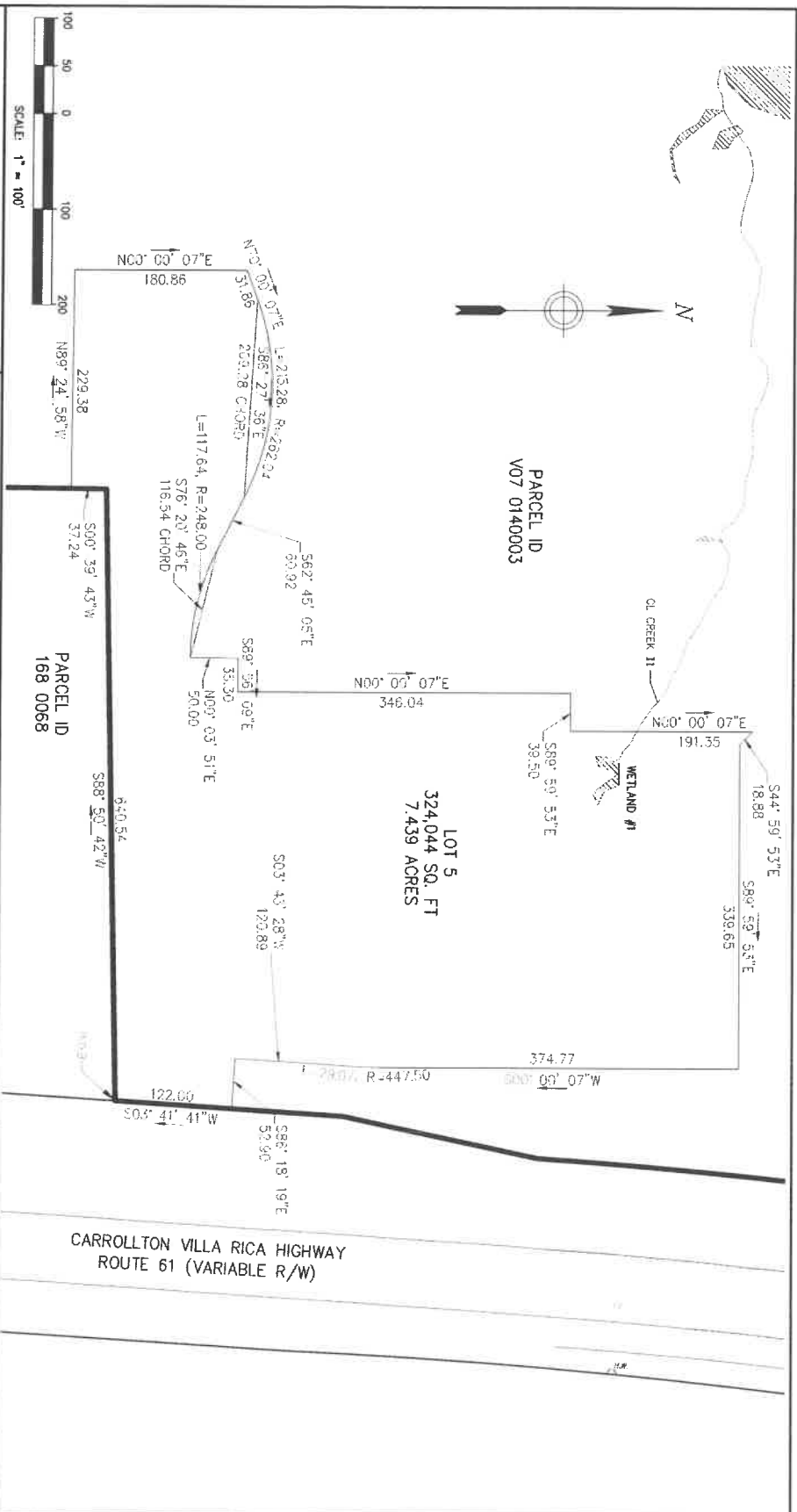
Unofficial Witness

Notary Public

My Commission Expires:



W



Drawing Copyright © 2023

CTM

141 Longwater Drive, Suite 104
Norwell, MA 02061-1620
781-982-5900 • www.ctmsolutions.com

EXHIBIT A
CARROLLTON VILLA RICA HWY
CARROLL COUNTY GA

No.	Submittal / Revision	App'd	By	Date
0	Issued as Final	WJD	MWC	1/6/24
Drawn: MWC				
Checked: WJD				
Date: 01/09/2024				
Scale: 1" = 100'				
Project No.: 061613				
SHEET 1 OF 1				

GENERAL NOTES:

1. THE EXISTING CONDITIONS INFORMATION SHOWN HEREON IS THE RESULT OF AN AERIAL SURVEY PERFORMED BY PLATINUM GEOMATICS, LLC IN APRIL OF 2020, AND SUPPLEMENTED BY AN ON-THE-GROUND SURVEY PERFORMED BY CHA CONSULTING, INC. FROM MARCH THROUGH OCTOBER OF 2020. THIS SURVEY WAS FIELD VERIFIED/CONFIRMED BY CHA CONSULTING, INC. IN NOVEMBER OF 2024.

THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 46,557 FEET AND AN ANGULAR ERROR OF 0.0 SECONDS PER ANGLE AND WAS ADJUSTED USING LEAST SQUARES. A TRIMBLE S8 WAS USED TO OBTAIN LINEAR AND ANGULAR MEASUREMENTS. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,129,504 FEET.

THIS SURVEY IS RELATIVE TO THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE AS REFERENCED TO NAD83 (2011) HORIZONTAL AND VERTICAL COORDINATES WERE DERIVED FROM NETWORK GPS MEASUREMENTS USING A TRIMBLE R10 GPS RECEIVER.

TOPOGRAPHY, CONTOURS AND BENCHMARKS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). TEMPORARY BENCHMARKS, REFERENCED TO THE DATUM ARE INDICATED ON THE SURVEY.

IN THE EVENT THAT BENCHMARKS (TBM'S), ESTABLISHED FOR THIS PROJECT AND PUBLISHED ON THIS SURVEY ARE DESTROYED, NOT RECOVERABLE OR A DISCREPANCY IS FOUND, THE USER SHOULD NOTIFY THIS FIRM IN WRITING PRIOR TO COMMENCING OR CONTINUING ANY WORK.

2. ALL DEED REFERENCES ARE TO CARROLL COUNTY SUPERIOR COURT UNLESS OTHERWISE NOTED.

3. LOCUS OWNER OF RECORD:

TRACT 1 & 2:
AVEMORE GA, LLC.
DEED BOOK 6271 PAGE 539
TAX ID# V07 0140003 & V07 0140004

TRACT 3:
AVEMORE GA, LLC.
DEED BOOK 6194 PAGE 551
TAX ID# V07 0140151

4. THE PROJECT AREA IS LOCATED IN FLOOD ZONE "K" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND ZONE "A" (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - NO BASE FLOOD ELEVATIONS DETERMINED) AS SHOWN ON FLOOD INSURANCE RATE MAP FOR CARROLL COUNTY, COMMUNITY NAME, NUMBER 1304501540, EFFECTIVE DATE SEPTEMBER 19, 2007.

5. LOCATION OF SUBSURFACE UTILITIES SHOWN HEREON ARE APPROXIMATE AND ADDITIONAL UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS PLAN. LOCATIONS ARE COMPILED FROM UTILITY PLANS OF RECORD AND DIG-SAFE FIELD MARKINGS. FIRM AND INVERT INFORMATION HAS BEEN COMPILED AND FIELD VERIFIED WHERE POSSIBLE. THIS INFORMATION IS NOT TO BE USED FOR CONSTRUCTION. PRIOR TO ANY CONSTRUCTION, CONTACT DIG-SAFE (811) TO FIELD VERIFY LOCATION OF ALL UTILITIES.

6. WETLANDS AND STATE WATERS IDENTIFIED AND SHOWN ON THIS PLAN WERE DERIVED FROM A COMBINATION OF FIELD DATA COLLECTED BY CHA AND REPORT BY CONTOUR ENVIRONMENTAL, LLC.

7. NO PARKING SPACES WERE FOUND OR COUNTED IN THIS SURVEY.

8. PLAN REFERENCES:

PB/PC 12/27	PB/PC 30/194	PB/PC 66/19	PB/PC 87/35
PB/PC 15/18	PB/PC 31/14	PB/PC 77/58	PB/PC 88/180
PB/PC 21/209	PB/PC 33/67	PB/PC 80/220	PB/PC 88/181
PB/PC 28/17	PB/PC 54/145	PB/PC 82/51	PB/PC 92/157
PB/PC 29/230	PB/PC 56/80	PB/PC 83/242	PB/PC 101/209

9. NO ZONING LETTER/REPORT WAS PROVIDED AT THE TIME OF SURVEY.

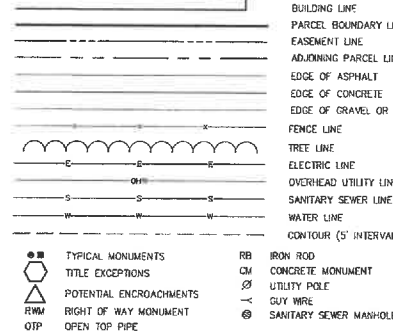
FIDELITY NATIONAL TITLE INSURANCE COMPANY,
COMMITMENT NUMBER: 242529GA
SCHEDULE B PART 2
EFFECTIVE DATE: OCTOBER 26, 2024

- ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART 1-REQUIREMENTS ARE MET. (NOT SURVEY RELATED)
- ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS. (NOT SURVEY RELATED)
- ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR OR MATERIAL NOT SHOWN BY THE PUBLIC RECORDS. (NOT SURVEY RELATED)
- TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS. (NOT SURVEY RELATED)
- ANY ENCUMBRANCE, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND NOT SHOWN BY THE PUBLIC RECORDS. (SEE THIS SURVEY WITH RESPECT TO POTENTIAL ENCROACHMENTS)
- EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS. (SEE THIS SURVEY)
- RIGHTS OF REMAINTS, AS TENANTS ONLY IN POSSESSION OF SUBJECT PROPERTY. (NOT SURVEY RELATED)
- PROPERTY TAXES, WHICH ARE A LIEN NOT YET DUE AND PAYABLE, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES TO BE LEVIED FOR THE FISCAL YEAR 2025. (NOT SURVEY RELATED)
- ANY ADDITIONAL TAXES, INTEREST AND/OR PENALTIES WHICH MAY BE ASSESSED FOR PRIOR TAX YEARS BY VIRTUE OF ADJUSTMENT, RE-APPRAISAL, RE-ASSESSMENT, APPEAL OR OTHER AMENDMENT TO THE TAX RECORDS OF THE CITY OR COUNTY IN WHICH THE SUBJECT PROPERTY IS LOCATED. (NOT SURVEY RELATED)
- ROADS, WAYS, STREAMS OR EASEMENTS, IF ANY, NOT SHOWN OF RECORD, RIPARIAN RIGHTS AND THE TITLE TO ANY FILLED-IN LANDS. (SEE THIS SURVEY)
- INTENTIONALLY DELETED.
- CONTRACT ENTERED INTO BY AFFIDAVIT OF CONTRACT BETWEEN J. MICHAEL EMBRY, AVEMORE GA LLC, AND C. JERRY TOLBERT, DATED DECEMBER 4, 2023, RECORDED OCTOBER 25, 2024, IN DEED BOOK 6264, PAGE 564, AFORESAID RECORDS. (NOT SURVEY RELATED)
- 50' DRIVE EASEMENT AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 54, PAGE 145, AFORESAID RECORDS. (SEE THIS SURVEY - OFF LOCUS)
- DEED OF CONSERVATION EASEMENT GRANTED TO THE CHATTAHOOCHEE OPEN LAND TRUST, INC. WITH RESPECT TO A PORTION OF THE ABOVE DESCRIBED PROPERTY, SAID EASEMENT BEING RECORDED IN DEED BOOK 2083, PAGE 339, CARROLL COUNTY, GEORGIA RECORDS. (SEE THIS SURVEY)
- 50' EASEMENT AND POWER LINES AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 66, PAGE 19, AFORESAID RECORDS. (SEE THIS SURVEY - OFF LOCUS)
- POWER LINES AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 77, PAGE 66, AFORESAID RECORDS. (SEE THIS SURVEY)
- PRIVATE DRIVE EASEMENT AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 83, PAGE 242, AFORESAID RECORDS. (NOT PLOTTED - OFF LOCUS)
- APPROX. GA. POWER CO. EASEMENT AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 92, PAGE 157, AFORESAID RECORDS. (SEE THIS SURVEY - PARTIALLY OFF LOCUS)
- APPARENT 50' DRIVE EASEMENT AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 101, PAGE 209, AFORESAID RECORDS. (SEE THIS SURVEY - OFF LOCUS)
- EASEMENT AND ASSIGNMENT AGREEMENT DATED 4/10/15 BETWEEN GOLDWORTH PARTNERS, LLC AND AMERICAN TOWER ASSET SUB, LLC RECORDED IN DEED BOOK 5397, PAGE 603-614, CARROLL COUNTY RECORDS. (SEE THIS SURVEY)
- UNRECORDED LEASE ENTERED INTO BY MEMORANDUM OF LEASE DATED 5/6/13 BETWEEN GOLDWORTH PARTNERS, LLC AND AMERICAN TOWER ASSET SUB, LLC DATED 6/14/13 RECORDED IN DEED BOOK 5260, PAGE 848-852, CARROLL COUNTY RECORDS. (SEE THIS SURVEY)
- RESOLUTION AND CONSENT AFFIDAVIT DATED 6/14/13 RECORDED IN DEED BOOK 5260, PAGE 844-847, CARROLL COUNTY RECORDS. (SEE THIS SURVEY)
- EASEMENT BETWEEN GOLDWORTH PARTNERS, LLC AND THE CITY OF VILLA RICA, GEORGIA DATED 3/25/98 RECORDED 02/18/00 IN DEED BOOK 1209, PAGE 356-359, CARROLL COUNTY RECORDS. (SEE THIS SURVEY)
- RIGHT-OF-WAY DEED TO GEORGIA DEPARTMENT OF TRANSPORTATION DATED 8/26/88 RECORDED IN DEED BOOK 535, PAGE 418, CARROLL COUNTY RECORDS. (SEE THIS SURVEY)

NOTE:

THE PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS WHICH ARE NOT RECORDED OR NOT DISCLOSED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.

LEGEND



SURVEYOR'S BOUNDARY DESCRIPTION: (TRACT 1)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99 OF THE 6TH DISTRICT, CARROLL COUNTY, GEORGIA; BEING A PORTION OF TAX PARCEL V07 0140004, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH SIDE OF OLD CCC CAMP ROAD; BEING N 86° 49' 33" W TWO HUNDRED SEVENTEEN AND ELEVEN HUNDREDTHS (217.11) FEET FROM A RIGHT-OF-WAY MONUMENT LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE HIGHWAY 61, ALSO KNOWN AS CARROLLTON - VILLA RICA HIGHWAY; SAID MONUMENT BEING APPROXIMATELY TWENTY-SIX (26) FEET SOUTHEASTERLY FROM THE INTERSECTION OF THE CENTERLINES OF GOLDWORTH ROAD AND OLD CCC CAMP ROAD; THENCE RUNNING N 81° 47' 02" W ONE HUNDRED SEVENTY-FIVE AND ZERO HUNDREDTHS (175.00) FEET TO A POINT ON THE NORTH SIDE OF OLD CCC CAMP ROAD; THEN RUNNING N 05° 12' 58" E TWO HUNDRED FIFTY-TWO AND ZERO HUNDREDTHS (252.00) FEET TO A POINT; THENCE RUNNING S 81° 47' 02" E ONE HUNDRED SEVENTY-FIVE AND ZERO HUNDREDTHS (175.00) FEET TO A POINT; THENCE RUNNING S 08° 12' 58" W TWO HUNDRED FIFTY-TWO AND ZERO HUNDREDTHS (252.00) FEET TO THE POINT OF BEGINNING; SAID TRACT BEING FULLY ENCOMPASSED BY TRACT 2.

CONTAINING 44,100 SQUARE FEET OR 1.012 ACRES.

SURVEYOR'S BOUNDARY DESCRIPTION: (TRACT 3)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 100 OF THE 6TH DISTRICT, CARROLL COUNTY, GEORGIA; BEING TAX PARCEL V07 0140151, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD ON THE EAST LAND LOT LINE OF LAND LOT 100 AT THE SOUTHEAST CORNER OF LAND NOW OR FORMERLY OF THE MAYOR AND CITY OF VILLA RICA; THENCE RUNNING S 00° 26' 28" W ALONG THE EAST LAND LOT LINE OF LAND LOT 100 FIVE HUNDRED FIFTY AND ZERO HUNDREDTHS (550.00) FEET TO A POINT; THENCE RUNNING N 89° 33' 34" W ONE THOUSAND ONE HUNDRED AND ZERO HUNDREDTHS (1,100.00) FEET TO A POINT; THENCE RUNNING N 00° 26' 28" E FOUR HUNDRED FIFTY AND ZERO HUNDREDTHS (450.00) FEET TO A POINT; THENCE RUNNING N 22° 37' 40" E TWO HUNDRED SIXTY-SIX AND FORTY-FIVE HUNDREDTHS (268.45) FEET TO A POINT; THENCE RUNNING S 89° 29' 33" E SEVEN HUNDRED AND ONE HUNDREDTHS (700.01) FEET TO AN IRON ROD; THE LAST FOUR COURSES BEING ALONG TRACT 2; THENCE RUNNING S 00° 37' 30" W ONE HUNDRED FORTY-FIVE AND SIXTEEN HUNDREDTHS (145.16) FEET TO AN IRON ROD; THENCE RUNNING S 89° 29' 33" E TWO HUNDRED NINETY-NINE AND THIRTY-THREE HUNDREDTHS (299.33) FEET TO AN IRON ROD; BEING THE POINT OF BEGINNING; THE LAST TWO COURSES BEING ALONG THE WEST AND SOUTH LINES NOW OR FORMERLY OF THE MAYOR AND CITY OF VILLA RICA; CONTAINING 709,844 SQUARE FEET MORE OR LESS OR 16.296 ACRES MORE OR LESS.

SURVEYOR'S BOUNDARY DESCRIPTION: (TRACT 2)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 99, 100, AND 125 OF THE 6TH DISTRICT, CARROLL COUNTY, GEORGIA; BEING ALL OF TAX PARCEL V07 0140003 AND A PORTION OF TAX PARCEL V07 0140004, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD LOCATED AT THE INTERSECTION OF THE NORTH LAND LOT LINE OF LAND LOT 99 AND THE WESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE HIGHWAY 61, ALSO KNOWN AS CARROLLTON - VILLA RICA HIGHWAY; THENCE RUNNING N 88° 58' 53" W ALONG THE NORTH LAND LOT LINE OF LAND LOT 99 SEVEN HUNDRED SEVENTY-FIVE AND SIXTY-FIVE HUNDREDTHS (775.65) FEET TO AN IRON ROD LOCATED AT THE COMMON CORNER OF LAND LOTS 99, 100, 125, AND 126; THENCE RUNNING N 01° 51' 35" E ALONG THE EAST LAND LOT LINE OF LAND LOT 125 ONE THOUSAND FOUR HUNDRED FORTY-SEVEN AND ELEVEN HUNDREDTHS (1,447.11) FEET TO AN OPEN TOP PIPE; THENCE RUNNING N 87° 58' 23" W SEVEN HUNDRED EIGHTY-NINE AND SEVENTY-ONE HUNDREDTHS (780.71) FEET TO AN IRON ROD; THENCE RUNNING S 88° 52' 25" W ONE HUNDRED EIGHTEEN AND THIRTY-ONE HUNDREDTHS (18.31) FEET TO AN IRON ROD; THENCE RUNNING N 67° 43' 48" W SIX HUNDRED TWENTY-NINE AND SEVENTY-FOUR HUNDREDTHS (629.74) FEET THROUGH AN IRON ROD (BEING FIVE AND FIFTY-NINE HUNDREDTHS (5.59) FEET BACK ALONG SAID LINE); THE LAST THREE COURSES BEING ALONG THE SOUTH LINE OF RIDGESIDE SUBDIVISION; THENCE RUNNING S 00° 10' 25" W THIRTY-EIGHT AND EIGHTY-EIGHT HUNDREDTHS (38.88) FEET TO A POINT; THENCE RUNNING N 87° 30' 08" W FOUR HUNDRED SIXTY-FIVE AND FIVE HUNDREDTHS (465.05) FEET TO AN IRON ROD; THE LAST TWO COURSES BEING ALONG THE EAST AND SOUTH LINES NOW OR FORMERLY OF MIDDLEBROOK MEMORY GARDENS, INC.; THENCE RUNNING N 87° 35' 15" W ALONG THE SOUTH LINE NOW OR FORMERLY OF RALPH ARULAMPALAM ONE HUNDRED FIVE AND SEVENTY HUNDREDTHS (105.70) FEET TO AN IRON ROD IN THE CENTERLINE OF BAY SPRINGS CREEK; THENCE RUNNING SOUTH ALONG THE CENTERLINE OF BAY SPRINGS CREEK WITH THE SOUTH LAND LOT LINE OF LAND LOT 100; THENCE RUNNING S 02° 56' 20" W FOUR THOUSAND FORTY SEVEN AND ONE HUNDREDTHS (4,471.50) FEET TO THE INTERSECTION OF THE CENTERLINE OF BAY SPRINGS CREEK WITH THE SOUTH LAND LOT LINE OF LAND LOT 100; THENCE RUNNING S 88° 11' 25" E ALONG THE SOUTH LAND LOT LINE OF LAND LOT 100 THROUGH A CONCRETE MONUMENT (BEING NINETY-SEVEN AND NINETY-EIGHT HUNDREDTHS (97.98) FEET BACK ALONG THE LINE) TO A POINT AT THE COMMON CORNER OF LAND LOTS 93, 94, 98, AND 100; THENCE RUNNING N 01° 28' 20" E TWO HUNDRED SEVENTY AND SEVENTY-NINE HUNDREDTHS (270.79) FEET TO AN IRON ROD; THENCE RUNNING N 00° 26' 28" E THREE HUNDRED NINE AND NINETY-NINE HUNDREDTHS (309.99) FEET TO A POINT; THE LAST TWO COURSES BEING ALONG THE EAST LAND LOT LINE OF LAND LOT 100; THENCE RUNNING N 89° 33' 34" W ONE THOUSAND ONE HUNDRED AND ZERO HUNDREDTHS (1,100.00) FEET TO A POINT; THENCE RUNNING S 88° 29' 33" E SEVEN HUNDRED AND ONE HUNDREDTHS (700.01) FEET TO AN IRON ROD; THE LAST FOUR COURSES BEING ALONG THE SOUTH, WEST, AND NORTH LINES OF TRACT 3; THENCE RUNNING S 89° 24' 58" E ALONG THE NORTH LINE NOW OR FORMERLY OF THE MAYOR AND CITY OF VILLA RICA TWO HUNDRED NINETY-NINE AND SIXTY-FIVE HUNDREDTHS (299.65) FEET TO AN IRON ROD; THENCE RUNNING N 00° 39' 43" E ONE HUNDRED EIGHTY AND EIGHTY-SIX HUNDREDTHS (180.86) FEET TO A POINT; THENCE RUNNING N 00° 07' 07" E ONE HUNDRED TWENTY AND FORTY HUNDREDTHS (229.40) FEET TO A POINT; THENCE RUNNING N 00° 07' 07" E ONE HUNDRED TWENTY AND FORTY HUNDREDTHS (229.40) FEET TO A POINT; THENCE RUNNING ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF TWO HUNDRED SIXTY-TWO AND FOUR HUNDREDTHS (262.04) FEET, A LENGTH OF TWO HUNDRED FIFTEEN AND TWENTY-EIGHT HUNDREDTHS (215.28) FEET, AND CHORD BEARING OF S 86° 27' 36" E, AND A CHORD DISTANCE OF TWO HUNDRED NINE AND TWENTY-EIGHT HUNDREDTHS (209.28) FEET TO A POINT; THENCE RUNNING ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF TWO HUNDRED FORTY-EIGHT AND ZERO HUNDREDTHS (248.00) FEET, A LENGTH OF ONE HUNDRED SEVENTEEN AND SIXTY-FOUR HUNDREDTHS (117.64) FEET, A CHORD BEARING OF S 78° 20' 46" E, AND A CHORD DISTANCE OF ONE HUNDRED SIXTEEN AND FIFTY-FOUR HUNDREDTHS (165.54) FEET TO A POINT; THENCE RUNNING N 00° 03' 51" E FIFTY AND ZERO HUNDREDTHS (50.00) FEET TO A POINT; THENCE RUNNING S 89° 58' 53" E THIRTY-NINE AND FIFTY HUNDREDTHS (39.50) FEET TO A POINT; THENCE RUNNING N 00° 07' 07" E ONE HUNDRED NINETY-ONE AND THIRTY-FIVE HUNDREDTHS (191.35) FEET TO A POINT; THENCE RUNNING S 44° 56' 53" E EIGHTEEN AND EIGHTY-EIGHT HUNDREDTHS (18.88) FEET TO A POINT; THENCE RUNNING N 88° 58' 53" E THREE HUNDRED THIRTY-NINE AND SIXTY-FIVE HUNDREDTHS (339.65) FEET TO A POINT; THENCE RUNNING S 00° 07' 07" W THREE HUNDRED SEVENTY-FOUR AND SEVENTY-SEVEN HUNDREDTHS (374.77) FEET TO A POINT; THENCE RUNNING ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF FOUR HUNDRED FORTY-SEVEN AND FIFTY HUNDREDTHS (447.50) FEET, AND A LENGTH OF TWENTY-NINE AND SEVEN HUNDREDTHS (29.07) FEET TO A POINT; THENCE RUNNING S 03° 43' 28" W ONE HUNDRED TWENTY AND EIGHTY-NINE HUNDREDTHS (120.89) FEET TO A POINT; THENCE RUNNING S 88° 18' 18" E FIFTY-TWO AND NINETY HUNDREDTHS (52.90) FEET TO A POINT; BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE HIGHWAY 61; THE LAST SIXTEEN COURSES BEING ALONG LINES NOW OR FORMERLY OF VILLA RICA LAND COMPANY, LLC; THENCE RUNNING N 03° 41' 41" E ONE HUNDRED FIFTEEN AND TWENTY-SIX HUNDREDTHS (15.26) FEET TO A POINT; THENCE RUNNING N 12° 02' 45" E TWO HUNDRED SEVEN AND TWENTY-TWO HUNDREDTHS (207.22) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF FIVE THOUSAND EIGHT HUNDRED EIGHTY-TWO AND TWO HUNDREDTHS (5,802.02) FEET, A LENGTH OF SIX HUNDRED THIRTY-TWO AND TWENTY-NINE HUNDREDTHS (634.29) FEET, A CHORD BEARING OF N 06° 47' 27" E, AND A CHORD DISTANCE OF SIX HUNDRED THIRTY-THREE AND NINETY-EIGHT HUNDREDTHS (633.98) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING N 01° 22' 35" W ONE HUNDRED ONE AND EIGHTY-NINE HUNDREDTHS (101.09) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING N 35° 56' 11" E TWO HUNDRED FORTY-FOUR AND NINETY-THREE HUNDREDTHS (214.83) FEET TO A POINT; THENCE RUNNING N 22° 80' 54" W FIFTY AND NINETY-SEVEN HUNDREDTHS (50.97) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF FIVE THOUSAND NINE HUNDRED THIRTY-NINE AND FIFTY-EIGHT HUNDREDTHS (5,039.58) FEET, A LENGTH OF ONE HUNDRED ELEVEN AND TEN HUNDREDTHS (111.10) FEET, A CHORD BEARING OF N 12° 54' 15" E, AND A CHORD DISTANCE OF ONE HUNDRED ELEVEN AND TEN HUNDREDTHS (111.10) FEET TO A POINT; THENCE RUNNING N 13° 42' 34" E ONE HUNDRED THIRTY-FIVE AND SEVENTY-NINE HUNDREDTHS (133.79) FEET TO AN IRON ROD; BEING THE POINT OF BEGINNING; THE LAST EIGHT COURSES BEING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE HIGHWAY 61; LESS AND EXCEPT SO MUCH LAND AS IS ENCOMPASSED BY TRACT 1, CONTAINING 44,100 SQUARE FEET OR 1.012 ACRES; LESS AND EXCEPT SO MUCH LAND AS WAS CONVEYED TO WINCHESTER REAL ESTATE INVESTMENT COMPANY, LLC, BY DEED RECORDED IN DEED BOOK 6271, PAGE 542 OF THE CARROLL COUNTY, GEORGIA SUPERIOR COURT'S RECORDS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH SIDE OF OLD CCC CAMP ROAD; BEING N 86° 32' 39" W FIVE HUNDRED FOUR AND FORTY-ONE HUNDREDTHS (504.41) FEET FROM A RIGHT-OF-WAY MONUMENT LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE HIGHWAY 61, ALSO KNOWN AS CARROLLTON - VILLA RICA HIGHWAY; SAID MONUMENT BEING APPROXIMATELY TWENTY-SIX (26) FEET SOUTHEASTERLY FROM THE INTERSECTION OF THE CENTERLINES OF GOLDWORTH ROAD AND OLD CCC CAMP ROAD; THENCE RUNNING S 00° 07' 07" W FOUR HUNDRED THIRTY-NINE AND FIFTY HUNDREDTHS (439.50) FEET TO A POINT; THENCE RUNNING S 44° 56' 53" E EIGHTEEN AND EIGHTY-EIGHT HUNDREDTHS (18.88) FEET TO A POINT; THENCE RUNNING N 88° 58' 53" W TWO HUNDRED TEN AND EIGHTY-NINE HUNDREDTHS (210.89) FEET TO A POINT; THENCE RUNNING N 00° 00' 00" E FOUR HUNDRED NINETY-NINE AND NINETY-TWO HUNDREDTHS (499.92) FEET TO A POINT; THENCE RUNNING S 89° 58' 53" E SIXTY-EIGHT AND FORTY-THREE HUNDREDTHS (68.43) FEET TO A POINT; THENCE RUNNING ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF ONE HUNDRED SEVENTY-FIVE AND ZERO HUNDREDTHS (175.00) FEET, AND A LENGTH OF FIFTY-THREE AND FOURTEEN HUNDREDTHS (53.14) FEET TO A POINT; THENCE S 72° 35' 58" E SIXTY-FIVE AND FORTY-EIGHT HUNDREDTHS (65.40) FEET TO THE POINT OF BEGINNING; SAID LAND BEING FULLY ENCOMPASSED BY TRACT 2; CONTAINING 97,062 SQUARE FEET MORE OR LESS OR 2.23 ACRES MORE OR LESS; THE REMAINING LAND AREA OF TRACT 2 CONTAINING 6,136,609 SQUARE FEET MORE OR LESS OR 136.791 ACRES MORE OR LESS.

RECORD DESCRIPTION: COMMITMENT NO. 242529GA

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99 OF THE 6TH DISTRICT, CARROLL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERN RIGHT-OF-WAY OF OLD CCC CAMP ROAD WHICH IS 216 FEET WESTERLY ALONG SAID RIGHT-OF-WAY FROM ITS INTERSECTION WITH THE CENTERLINE OF GOLDWORTH ROAD; RUNNING THENCE WESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY OF OLD CCC CAMP ROAD 175 FEET TO A POINT; RUNNING THENCE NORTHERLY, PERPENDICULAR TO SAID ROAD 252 FEET TO A POINT; RUNNING THENCE EASTERLY PARALLEL TO SAID ROAD 175 FEET TO A POINT; RUNNING THENCE SOUTHERLY PERPENDICULAR TO SAID ROAD 252 FEET TO THE POINT OF BEGINNING. SAID PROPERTY HAVING AN ADDRESS OF 55 GOLDWORTH ROAD, VILLA RICA, GEORGIA 30180.

TOGETHER WITH

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99, 100 AND 125 OF THE 6TH DISTRICT OF CARROLL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERN RIGHT OF WAY OF CARROLLTON-VILLA RICA HIGHWAY, AKA STATE ROUTE 61, WITH THE NORTH LINE OF LAND LOT 99; THENCE WESTERLY ALONG SAID LAND LOT LINE TO THE NORTHWESTERN CORNER OF LAND LOT 99, WHICH IS THE COMMON CORNER OF LAND LOTS 99, 100, 125 AND 126 OF THE 6TH DISTRICT; THENCE RUNNING - NORTH ALONG THE EAST LAND LOT LINE OF LAND LOT 125 A DISTANCE OF 1,450.00 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 15 OF RIDGESIDE SUBDIVISION, UNIT 5, AS SAID LOT AND SUBDIVISION ARE SHOWN AND DEDICATED ON A PLAT RECORDED IN PLAT BOOK 30, PAGE 194, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF CARROLL COUNTY, GEORGIA, WHICH PLAT AND THE RECORD THEREOF ARE BY REFERENCE INCORPORATED HEREIN; THENCE LEAVING SAID LAND LOT LINE AND RUNNING IN A WESTERLY DIRECTION ALONG THE SOUTH LINE OF LOTS 15, 14, 13, AND 12 OF RIDGESIDE SUBDIVISION, UNIT 5, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 30, PAGE 194; LOTS 37, 36, 35, 34, 33, AND 32 OF BLOCK "A" OF RIDGESIDE SUBDIVISION ON PLAT RECORDED IN PLAT BOOK 12, PAGE 27, SAID CLERK'S OFFICE AND THE SOUTH LINE OF PROPERTY NOW OR FORMERLY OWNED BY MIDDLEBROOK MEMORY GARDENS, INC. A DISTANCE OF 1,700 FEET, MORE OR LESS, BUT SPECIFICALLY TO SAID BAY SPRINGS CREEK; THENCE RUNNING IN A SOUTHERLY DIRECTION ALONG THE WESTERLY BAY SPRINGS CREEK TO A POINT WHERE SAID CREEK INTERSECTS THE SOUTH LAND LOT LINE OF LAND LOT 100, SAID DISTRICT; THENCE RUNNING IN AN EASTERLY DIRECTION ALONG THE SOUTH LAND LOT LINE OF LAND LOT 100 A DISTANCE OF 2,170 FEET, MORE OR LESS, BUT SPECIFICALLY TO THE SOUTHEAST CORNER OF SAID LAND LOT 100; THENCE RUNNING IN A NORTHERLY DIRECTION ALONG THE EAST LAND LOT LINE OF LAND LOT 100 A DISTANCE OF 1,500 FEET, MORE OR LESS, TO A POINT AT THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY OWNED BY L.W. THOMAS; THENCE RUNNING IN AN EASTERLY DIRECTION ALONG THE NORTH LINE OF PROPERTY NOW OR FORMERLY OWNED BY L.W. THOMAS A DISTANCE OF 670 FEET, MORE OR LESS, BUT SPECIFICALLY TO THE WEST RIGHT OF WAY OF CARROLLTON-VILLA RICA HIGHWAY, AKA STATE ROUTE 61; THENCE RUNNING IN A NORTHERLY DIRECTION ALONG THE WEST RIGHT OF WAY OF SAID STATE ROUTE 61 A DISTANCE OF 1,600 FEET MORE OR LESS, TO THE NORTH LAND LOT LINE OF LAND LOT 99 AND THE POINT OF BEGINNING.

LESS AND EXCEPT SO MUCH OF SAID PROPERTY WAS CONVEYED TO GEORGE C. HOLLOWAY BY WARRANTY DEED DATED AUGUST 28, 1958, RECORDED IN DEED BOOK 117, PAGE 454, CARROLL COUNTY, GEORGIA RECORDS.

TOGETHER WITH

TRACT 3

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 100 OF THE 6TH DISTRICT OF CARROLL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF LAND LOT 100, SAID POINT BEING LOCATED 570.84 FEET NORTH OF THE SOUTHEAST CORNER OF LAND LOT 100, THENCE RUNNING NORTH 89 DEGREES 31 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 1,100.00 FEET TO A POINT; THENCE RUNNING NORTH 00 DEGREES 28 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 450.00 FEET TO A POINT; THENCE RUNNING NORTH 22 DEGREES 40 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 268.45 FEET TO A POINT; THENCE RUNNING SOUTH 89 DEGREES 26 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 600.73 FEET TO A POINT; THENCE RUNNING SOUTH 00 DEGREES 36 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 145.20 FEET TO A POINT; THENCE RUNNING SOUTH 89 DEGREES 26 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 300.00 FEET TO A POINT ON THE EAST LINE OF LAND LOT 100, THENCE RUNNING SOUTH 00 DEGREES 28 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 550.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 18.29 ACRES.

LESS AND EXCEPT THE PROPERTY DESCRIBED AS FOLLOWS:

COMMENCING AT A RIGHT OF WAY MONUMENT SET AT AN ANGLE POINT ON WESTERLY SIDE LINE OF GEORGIA HIGHWAY ROUTE 61, THENCE RUNNING N86° 32' 39" W FIVE HUNDRED FOUR AND FORTY-ONE HUNDREDTHS (504.41) FEET TO THE POINT OF BEGINNING; THENCE TURNING AND RUNNING S00° 00' 00" W FOUR HUNDRED THIRTY-NINE AND FIFTY HUNDREDTHS (439.50) FEET TO A POINT, THENCE TURNING AND RUNNING S44° 56' 53" E EIGHTEEN AND EIGHTY-EIGHT HUNDREDTHS (18.88) FEET TO A POINT, THENCE TURNING AND RUNNING N88° 58' 53" W TWO HUNDRED TEN AND EIGHTY-NINE HUNDREDTHS (210.89) FEET TO A POINT, THENCE TURNING AND RUNNING N00° 00' 00" W FOUR HUNDRED NINETY-NINE AND NINETY-TWO HUNDREDTHS (499.92) FEET TO A POINT, THENCE TURNING AND RUNNING S89° 58' 53" E SIXTY-EIGHT AND FORTY-THREE HUNDREDTHS (68.43) FEET TO A POINT, THENCE ALONG CURVE TO THE RIGHT HAVING A RADIUS OF ONE HUNDRED SEVENTY-FIVE AND ZERO HUNDREDTHS (175.00) FEET RADIUS AN ARC DISTANCE OF FIFTY-THREE AND FOURTEEN HUNDREDTHS (53.14) FEET TO A POINT, THENCE S72° 35' 58" E SIXTY-FIVE AND FORTY-EIGHT HUNDREDTHS (65.40) FEET TO A POINT, THENCE TURNING AND RUNNING S36° 17' 56" E TWENTY-FOUR AND EIGHTEEN HUNDREDTHS (24.18) FEET TO THE POINT OF BEGINNING, CONTAINING 97,062 SQUARE FEET MORE OR LESS (2.23 ACRES MORE OR LESS).

FURTHER LESS AND EXCEPT ANY PORTION OF TRACTS 1, 2 OR 3 CONVEYED BY THE FOLLOWING:

LIMITED WARRANTY FROM AVEMORE GA LLC, A GEORGIA LIMITED LIABILITY COMPANY, TO VILLA LAND COMPANY LLC, A GEORGIA LIMITED LIABILITY COMPANY, DATED JANUARY 3, 2024, RECORDED JANUARY 12, 2024, IN DEED BOOK 6214, PAGE 251, CARROLL COUNTY, GEORGIA RECORDS; AND

QUIT CLAIM DEED FROM AVEMORE GA LLC, A GEORGIA LIMITED LIABILITY COMPANY, TO WINCHESTER REAL ESTATE INVESTMENT COMPANY, LLC, DATED MAY 8, 2024, RECORDED SEPTEMBER 4, 2024, IN DEED BOOK 6271, PAGE 542, CARROLL COUNTY, GEORGIA RECORDS.

POTENTIAL ENCROACHMENTS:

- PILE OF TIRES LIES COMPLETELY WITHIN SUBJECT PARCEL. 17' TO 46" (SEE SHEET 2)
- CHAIN LINK FENCE MEANDERS ALONG BOUNDARY LINE. 0' TO 6" (SEE SHEET 2)
- BARBED WIRE FENCE MEANDERS ALONG BOUNDARY LINE. 0' TO 6" (SEE SHEET 4)

SURVEY CERTIFICATION

THIS SURVEY IS MADE FOR THE BENEFIT OF:

FIDELITY NATIONAL TITLE INSURANCE COMPANY, CLARK REAL ESTATE LAW GROUP LLP, AND AVEMORE GA, LLC, AND THEIR SUCCESSORS AND/OR ASSIGNS. 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 (FOUND MONUMENTS ONLY), 2, 3, 4, 6(a), 8, 13, 14, 15, 16, & 19 OF TABLE A THEREOF. THE INITIAL FIELDWORK WAS COMPLETED OCTOBER OF 2020. SITE CONDITIONS WERE CONFIRMED IN NOVEMBER OF 2024.

THERE IS NO EVIDENCE OF CEMETERIES.

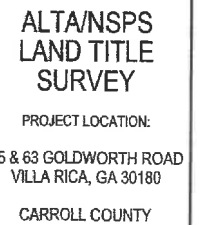
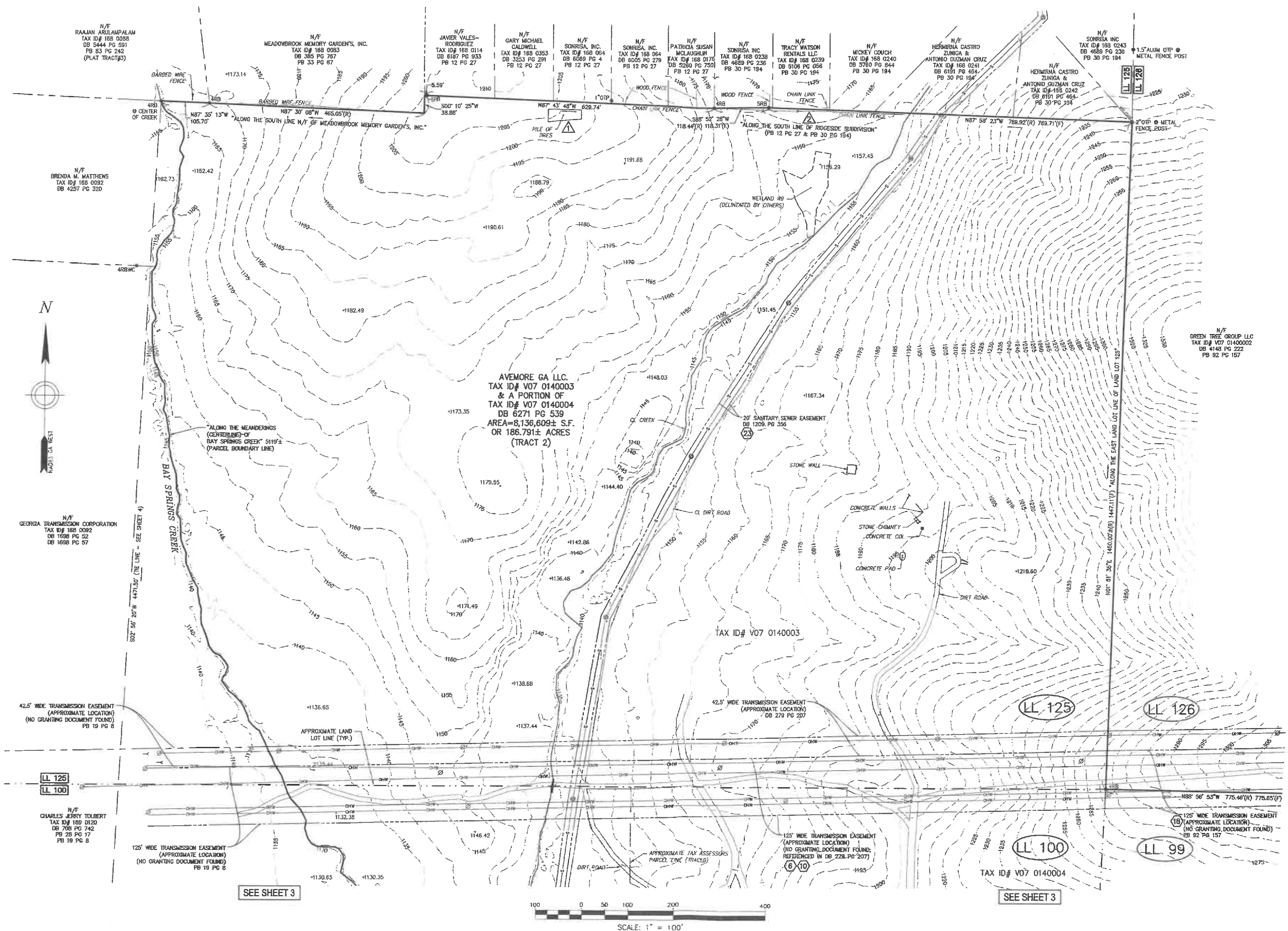
THE SUBJECT PROPERTIES AND SURVEY BOUNDARY DESCRIPTIONS FORM CONTIGUOUS, MATHEMATICALLY CLOSED FIGURES WITHOUT GAPS, GORES, OR OVERLAPS.

TRACT 2 HAS DIRECT ACCESS TO STATE ROUTE 61, BEING A DEDICATED PUBLIC HIGHWAY.

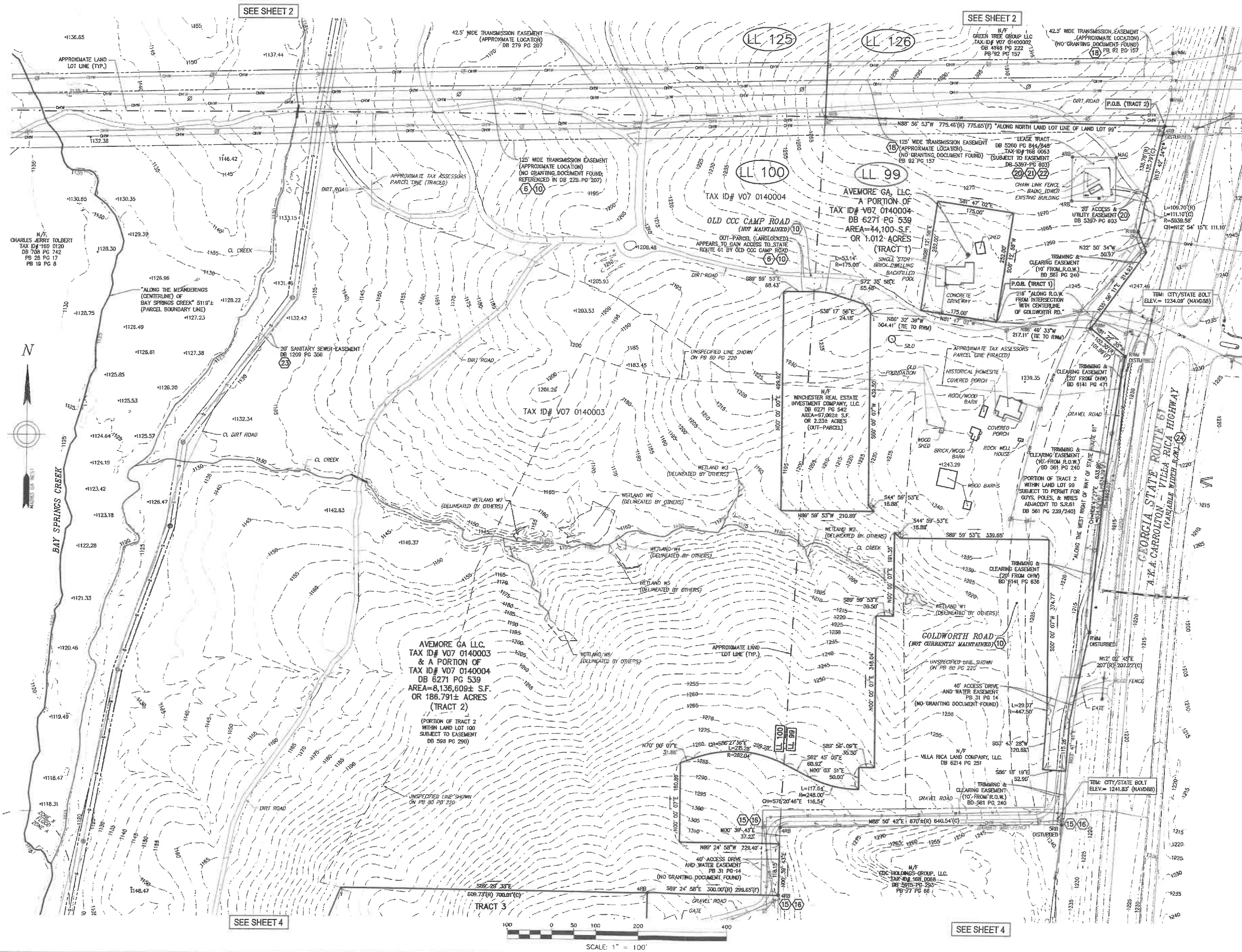
TRACTS 1 & 3 HAVE ACCESS TO STATE ROUTE 61 THROUGH TRACT 2, CURRENTLY HAVING IN COMMON OWNERSHIP.

THERE IS NO EVIDENCE OF CURRENT EARTH MOVING WORK, ROADWAY/SIDEWALK CONSTRUCTION, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.

THERE IS NO EVIDENCE OF USE AS A SOLID

Drawing No.:

File: V:\PROJECTS\ANY\K7\099578.000\06_PROJECT_DATA\GEOSPATIAL\OFFICE\DRAWINGS\AVENORE_VILLA_RICA_ALTA_FIDELITY NATIONAL TITLE.DWG



PREPARED FOR:
MIKE EMBRY
AVERMORE GA LLC
c/o
EMBRY
DEVELOPMENT
CORP.
667 MAIN STREET
SUWANEE GA
30024



IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT OR LAND SURVEYOR TO ALTER AN ITB IN ANY WAY. IF AN ITB BEARING THE NAME OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT OR LAND SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

ALTA/NSPS
LAND TITLE
SURVEY

PROJECT LOCATION:
5 & 63 GOLDWORTH ROAD
VILLA RICA, GA 30180
CARROLL COUNTY

[illegible]

TRACT 1: All that tract or parcel of property lying and being in Land Lots 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as all that property shown as Tracts A, B and the "OUT" parcel depicted on that certain survey entitled "Property Survey for Jerry Tolbert" prepared by Douglas C. Crawford, Georgia Registered Land Surveyor No. 1833, which plat is recorded in Plat Book 19, Page 8, in the Office of the Clerk of Superior Court of Carroll County, Georgia, and which plat and record thereof are incorporated herein for a more complete and particular description of said tract.

TRACT II: All that tract or parcel of property lying and being in Land Lot 100 of the 6th District of Carroll County, Georgia, and being more particularly described as that certain tract shown on that plat entitled "Plat for Jerry Teichert" prepared by Douglas C. Crawford, Georgia Registered

[illegible]

(Tracts I - IV per Deed 4906-90 COCC)

This tract conveyed to Tolbert by Deed 5343-311. CDCIC is said to be "Tax Parcel 158 0280" which does not exist on County Tax Maps. Description does not contain sufficient information to accurately place relative to other lands surveyed herein, but is said to lie within Land Lot 100 and west of South Van Wert Road, which would lie within TRACT III above. Survey found no dwelling of any kind standing on the West Side of South Van Wert Road within Surveyed property.)

Deeds 4906-86 and 4906-90 COCC are Deeds from C. Jerry Tolbert to C. Jerry Tolbert. See Survey Note 2 for list of Deeds by Which Tolbert originally acquired said Lands.

(Surveyor's treatment of Title Examination Terms is limited to the scope described in ALTA/NSPS 232 requirements, Section C, 6.1, and is limited to determination of the extent of land, that Title Items may influence. If any, "Extent of Property" may be: Blanket in nature for a Parcel or Parcels (not called to map); also assumed to also apply to Lessee's Acres (if any) *as well as* those may be on Parcels(s) influenced by instrument(s); specifically described by instrument (mapped and shown: only if the Surveyed Area). Determination of physical location may not be possible if instrument is feeble; however, the instrument's description of location, or instrument's location of other instrument(s) not included in the title exam and not otherwise known to surveyor, may be used. Beyond physical location, such as the type of inclusion that "Restrictions, Conditions, Terms or Covenants" contained in instrument(s), may impact upon Parcels or Lessee's Land or Easements are not examined by Land Surveyor. Review by Title Attorney may be warranted. Land Surveyors may not practice Law.)

Item 1 - 11: General Items (no record instruments listed) or Taxes, not addressed by Survey.

(Items listed as potential matters of concern, subject to review by qualified Legal Professionals.
"Encroachment" is a matter of Law, not determined by Surveyor)

E-1 167.5-foot-wide Easement to Carroll EMC for power Lines, of record in Plat Book 15, Page 8
COCC. Within this Easement lie transmission lines and poles (no) poles and line shown
herein, but this Survey is not an as-built survey of all power-related equipment, as well as trails
indicating access from adjoining substation property, which appear to lie within the Easement as
shown herein.

E-3 Surveyed property is subject to Special Flood Hazard Area Zone A, as shown hereon according to FEMA Maps

E-4 Surveyed Property is subject to natural drainage which flows onto and out of subject property. Principle drainage swales which can be identified from current survey and State/County maps are shown hereon. Drainage appears to discharge to the Southeast as indicated by FEMA Maps. This survey does not include a topographic survey and does not address drainage routes other than those readily apparent as above.

New descriptions provided to describe the property relative to Georgia West State Plane Coordinate System (See Note #1), and to provide descriptions necessary for planned conveyances (See Note #19)

Land Located in Land Lot 92, 93 & 100, 6th District, Carroll County, Georgia. Being a portion the property of C. James Tolbert of record in Deed Book 4936, Page 90, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West State Plane Coordinate System, North American Datum of 1983, as follows:

Thence N 82°16'45" W, along a new Line, a distance of 410.75 feet to a Capped Iron Rod set in the Eastern Right-of-Way line of South Van Wert Road;
Thence N 12°06'58" E, along said Right-of-Way line, a distance of 253.72 feet;
Thence continuing along said Right-of-Way line and with a curve to the right with an arc length of 279.25 feet, with a radius of 2,574.54 feet, with a chord bearing of N 15°12'34" E, with a chord length of 279.11 feet to a Capped Iron Rod set;
Thence N 88°33'35" E, leaving said Right-of-Way line and along a new Line, a distance of 406.59 feet to a Capped Iron Rod set;
Thence S 12°04'08" W, along a new Line, a distance of 599.76 feet to the POINT OF BEGINNING.

Land Located in Land Lots 92, 100 & 101 6th District, Carroll County, Georgia. Being the property of C. James Tolbert of record in Tract III of Deed Book 4906, Page 90, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West State Plane Coordinate System, North American Datum of 1983, as follows:

BEGINNING at an Iron Rod found in the Western Right-of-Way of South Van Wert Road at the Northeast Corner of the property of record in Plat Book 36, Page 275, COCC, same being the Southeast Corner of the property described herein;

Thence N 86°05'32" W, along the North Line of said Plat Book 36, Page 275, COCC, a distance of 1,358.74 feet to a Capped Iron Rod found, the Southwest Corner of the property described herein;
Thence N 86°39'32" E, along the East Line of the property of record in Plat Book 94, Page 152, COCC, a distance of 1,091.83 feet to an Iron Rod found;
Thence N 89°05'49" W, a distance of 49.46 feet to an Iron Rod found at a Southeast Corner of the property of record in Deed Book 6117, Page 517, COCC;
Thence N 01°05'34" E, along the East line of said property, a distance of 1,462.89 feet to an Iron Rod found, the Northwest Corner of the property described herein;

CCO: A distance of 107.83 feet to the Iron Road found;

There is 89°17'32" E, along the South Line of the property of record in Deed Book 336, Page 258, CCOO, a distance of 590.37 feet to a Capped Iron Road set in the Western Right-of-Way of South Van Wert Road.

There, along said Right-of-Way Line the following corners and distances:

Thence S 10°43'32" E, a distance of 16.86 feet;

Thence S 10°43'32" E, a distance of 253.15 feet;

Thence S 10°43'32" E, a distance of 556.53 feet;

Thence with a curve to the right with an arc length of 927.89 feet, with a radius of 1,131.49 feet, with a chord bearing of S 04°53'32" E, with a chord length of 901.97 feet;

Thence with a curve to the left with an arc length of 755.18 feet, with a radius of 2,854.54 feet, with a chord bearing of S 20°12'39" E, with a chord length of 748.67 feet;

Thence S 12°08'08" W, a distance of 255.77 feet to the POINT OF BEGINNING.

Said tract contains 98.59 Acres, more or less.

Land Located in Land Lots 103 & 101, 6th District, Carroll County, Georgia. Being a portion the property of C. James Tolbert of record in Deeds: Book 4906, Page 88 and Page 90, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West State Plane Coordinate System, North American Datum of 1983, as follows:

COMMENCE at a Concrete Monument found at the Northwest Corner of The Trails at Charleston Place, Phase Two, of record in Plat Book 89, Page 180, COCC;
Thence S 88°29'38" W, along the South Line of the property of record in Deed Book 6194, Page 537, COCC, a distance of 101.22 feet to a point in the Centerline of a Creek, which is the POINT OF BEGINNING.

Thence N 81°14'25" W, along a new line, a distance of 460.33 feet to a Capwood Road tie;
Thence S 88°13'05" W, along a new line, a distance of 466.59 feet to a Capwood Road tie on the Eastern
Right-of-Way of the South West Water Race;
Thence Along Old Right-of-Way line the following corners and distances:
Thence with a curve to the left with an arc length of 469.20 feet, with a radius of 2,574.55 feet, with a
chord bearing of N 23°18'52" E, with a chord length of 448.72 feet;
Thence with a curve to the left with an arc length of 593.30 feet, with a radius of 1,214.69 feet, with a
chord bearing of N 0°52'32" E, with a chord length of 565.57 feet;
Thence N 18°13'22" E, a distance of 555.81 feet;
Thence N 17°29'41" W, a distance of 255.42 feet;
Thence N 18°34'32" W, a distance of 513.30 feet;
Thence N 18°56'44" W, a distance of 264.73 feet;
Thence N 18°56'44" W, a distance of 188.27 feet;
Thence N 88°23'15" E, bearing said Right-of-Way line, a distance of 1,568.86 feet to a point in the Centerline of a
Creek;
Thence following the centerline of said Creek for a distance of 319.95 feet, more or less, and course, substantially to
a closed line having a bearing of S 0°48'44" W, a distance of 3.08 feet, to the POINT OF BEGINNING.

Said tract contains 83.87 Acres, more or less.

Land Located in Land Lots 92, 93, 100 & 101, 6th District, Carroll County, Georgia. Being a portion the property of C. James Tolbert of record in Deeds: Book 4936, Page 86 and Page 98, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West State Plane Coordinate System, North American Datum of 1983, as follows:

BEGINNING at a Concrete Monument found at the Northwest Corner of The Trails at Charleston Place, Phase Two, of record in Plat Book 89, Page 180, COCC;

Thence along the Western Limit of Alford's Subdivision following the following Courses and Distances:

Thence S 20°19'18" W, a distance of 134.93 feet to an Iron Road found;

Thence S 0°32'30" E, a distance of 189.14 feet to an Iron Road found;

Thence S 0°01'25" E, a distance of US 33.64 feet to an Iron Road found;

Thence S 0°29'46" W, a distance of 75.15 feet to an Iron Road found;

Thence S 0°20'38" W, a distance of 69.03 feet to an Iron Road found;

Thence S 0°07'12" E, a distance of 70.88 feet to an Iron Road found;

Thence S 0°09'18" E, a distance of 76.92 feet to an Iron Road found;

Thence S 0°01'30" W, a distance of 44.75 feet to an Iron Road found;

Thence S 29°52'32" W, leaving said Subdivision line and along the South Line of said property of Tolbert, a distance of 130.02 feet to a Capped Iron Nail in the Eastern Right-of-Way Line of South Van Wert Road;

Thence S 1°01'45" E, along said Right-of-Way, a distance of 351.52 feet to a Capped Iron Nail found;

Thence S 1°01'45" E, along said Right-of-Way and along a stem line, a distance of 411.75 feet to a Capped Iron Nail found;

Thence N 27°08'08" E, leaving said stem line, a distance of 599.76 feet to a Capped Iron Road said;

Thence S 8°04'55" S, a distance of 408.92 feet to an Iron Nail in the Centerline of said Road;

Thence N 88°28'28" E, a distance of 101.22 feet to the POINT OF BEGINNING.

Page 537, CSD, a distance of 101.22 feet to an Iron Nail found the POINT OF BEGINNING.

Said tract contains 14.01 Acres, more or less.

1. NORTH ARROW IDENTIFICATION: Georgia West Plane Coordinate System. The survey was conducted by Survey relative to the Continuously Operating Reference Station (CORS) located at the National Geodetic Survey. The subject property is surveyed relative to the Georgia West Plane Coordinate System to provide a current, consistent and accurately reproducible survey of the property. (Previous record descriptions depend on the surveying technique employed). Differences in bearings between the survey and previous record descriptions are thus deemed not significant to the Surveyor.

2. SURVEYED PROPERTY: Cassell County, Georgia, Tax Parcel 689 0120, being portion of the 1/4 Section 12, Township 10 North, Range 10 West, Deed Book 4906, Page 86 & Page 90, said lands including corner to Tolbert in Deeds Book 384, Page 559, Book 501, Page 267, Book 708, Deeds, and Book 4689, Page 89, Clerk's Office, Cassell County, Georgia, (CGCC), Tax Parcel 689 0120, being portion of the 1/4 Section 12, Township 10 North, Range 10 West, Deed Book 4906, Page 86 & Page 90, said lands including corner to Tolbert by the conveyance deeds and according to previous survey of record in P as referenced herein, and according to monuments found consistent with said previous survey plots. The Right-of-Way of South Van Wert Road is shown as follows: according to Record Plans including Plans: 19-48, 20-17, 26-132, 27-5, 27-5, CGCC, and according to the current survey. Boundaries shown as defined by water courses are subject to change over time by natural forces. Easements are shown according to instruments of record as noted hereon.

3. ALTA TABLE A Item 1: Monuments at corners of Surveyed Property found as follows:

ALTA TABLE A Item 2: 2664 South Van Wert Road, Villa Rica, GA, 30180.

ALTA TABLE A Item 3: A portion of the Property lies in Special Flood Hazard Zone A. Extent shown according to FEMA Flood Plans: 1304C01541 dated 05-25-2007. No Flood Certification or Flood Elevation Survey was performed.

ALTA TABLE A Item 4: As shown hereon.

ALTA TABLE A Item 5: Substantial Flood Improvements located and shown hereon.

ALTA TABLE A Item 9: Survey observed no parking lots or regions in which specific parking spaces were delineated with signage or signage.

ALTA TABLE A Item 10: Survey observed no "patry walls" or walls which would determine property boundaries.

ALTA TABLE A Item 11: No Utility Plans were provided or supplied.

ALTA TABLE A Item 12: No Wetlands were shown hereon.

ALTA TABLE A Item 13: No Wetlands was supplied or found which would suggest any proposed changes to streets or Right-of-Ways.

ALTA TABLE A Item 18: Title examination did not find instruments which described the property.

4. WETLANDS: No Wetlands definitions or markings were found on surveyor's property in the course of Survey.

5. No evidence of any Cemetery, burial site, isolated grave or markers for said property were observed on the Surveyed Property.

6. At the time of this survey, the surveyed property is a composite of tracts conveyed as deeds as referenced above, which describe a continuous extent of land (now divided by Right-of-Way as noted above). Plats PB 19-3 and 27-5 record certain portions of this land, but no forward conveyances were found which would suggest any proposed changes to streets or Right-of-Ways. Deeds are shown hereon for reference. Internal lines between the separate tracts of Deed T08-742-06C are not surveyed herein.

7. Part of the purpose of this survey is to describe portions of the property in tracts as shown hereon. The survey is not a conveyance. By itself, the survey does not convey any lands, and does not create any divided tracts or lots. Applicable Deeds must be recorded, and County may require a Reclaim Plat, which would require County Review and certifications which are not required for a Survey.

8. Survey Tracts One, Two, Three and Four directly upon the Public Right-of-Way of South Van Wert Road, as shown hereon. Each Survey Tract has direct potential access to the Public Right-of-Way. (Access" herein denotes that the applicable Right-of-Way forms a boundary line of each survey tract and that the surveyor is not required to provide a means of access but does not otherwise address suitability of access for boundary traffic.)



This Plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. **RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUFFICIENCY FOR ANY USE OR PURPOSE OF THE LAND.** Furthermore, the undersigned land surveyor certifies this plat complies with the minimum technical standards for proper surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Professional Engineers and Land Surveyors as set forth in O.C.G. Section 15-6-67.

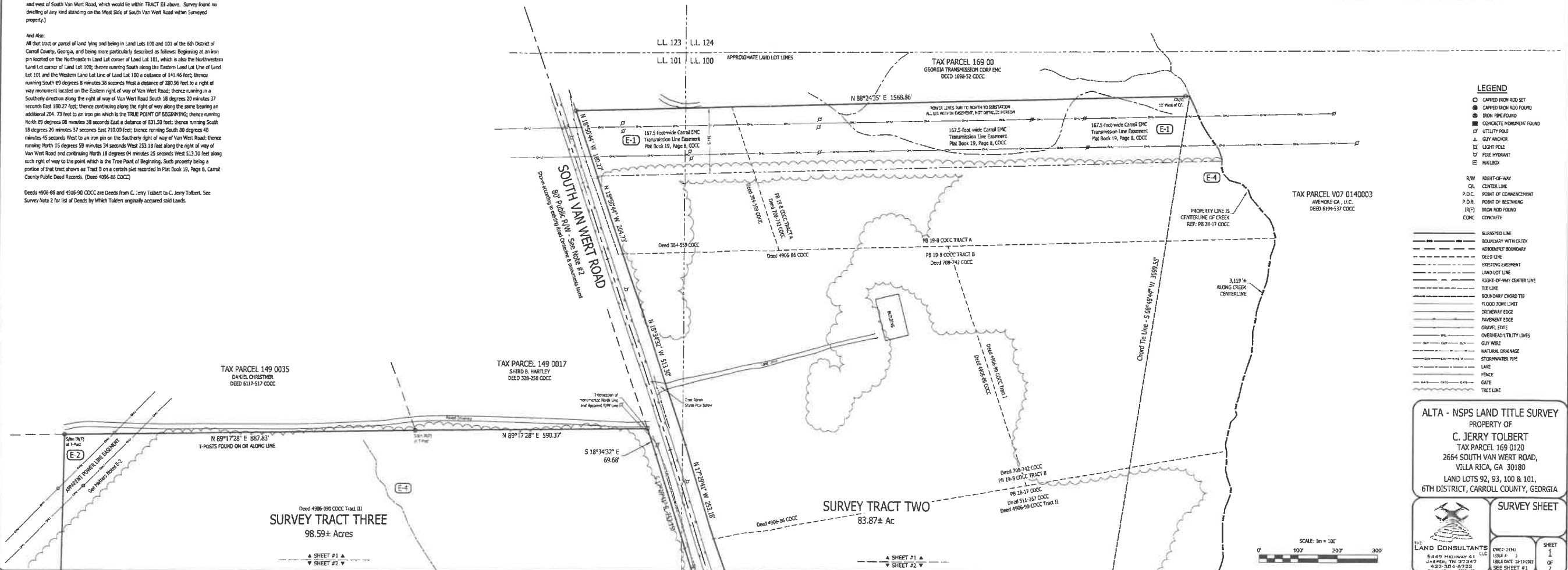
To: (i) Avonmore GA, LLC; (ii) Old Republic Title Insurance Company

This is to certify that this map or plan 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, 8, 9, 10, 11(a), 13, 17, 18 & 19 of Table A thereof. The fieldwork was completed on 12-13-2024.

Date of Plat or Map: 03-13-2025



#	DETAILS	DATE	DRUM#
1	Original Survey Issue	12-12-2004	YES
2	Survey Tract One & Two Revised	12-13-2004	YES
3	Survey Tract Two Revised, Tract Four Added	12-13-2005	YES





TAX PARCEL 149 0035
DANIEL CHRISTNER
DEED 6117-517 COCC

TAX PARCEL 150 0025
GREEN TREE GROUP, LLC
DEED 4458-179 COCC
PLAT 94-152 COCC

Deed 4906-90 COCC Tract III
SURVEY TRACT THREE
98.59± Acres

SURVEY TRACT TWO
83.87± Ac

SOUTH VAN WERT ROAD
80' Public R/W - See Note #2
Shown according to existing
Road Centerline & monuments found

TAX PARCEL V07 0140003
AVERMORE GA, LLC
DEED 6194-537 COCC

TAX PARCEL V07 0140003
AVERMORE GA, LLC
DEED 6194-537 COCC

SURVEY TRACT ONE
5.27± AC

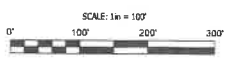
SURVEY TRACT FOUR
14.01± Ac

TAX PARCEL 150 0057
ERIC S. MITCHELL
DEED 5725-207 COCC
PLAT 36-275 COCC

TAX PARCEL 169 0001
ERIC S. MITCHELL
DEED 5725-207 COCC
PLAT 36-275 COCC

CURVE DATA TABLE	
STATION	CHORD BEARING
1+00.00	N 89°35'19" W 49.45
1+00.00	N 89°35'19" W 49.45
1+00.00	N 89°35'19" W 49.45
1+00.00	N 89°35'19" W 49.45
1+00.00	N 89°35'19" W 49.45
1+00.00	N 89°35'19" W 49.45
1+00.00	N 89°35'19" W 49.45
1+00.00	N 89°35'19" W 49.45
1+00.00	N 89°35'19" W 49.45
1+00.00	N 89°35'19" W 49.45

LINE DATA TABLE	
LINE	BEARING
1	N 89°35'19" W 49.45
2	N 89°35'19" W 49.45
3	N 89°35'19" W 49.45
4	N 89°35'19" W 49.45
5	N 89°35'19" W 49.45
6	N 89°35'19" W 49.45
7	N 89°35'19" W 49.45
8	N 89°35'19" W 49.45
9	N 89°35'19" W 49.45
10	N 89°35'19" W 49.45

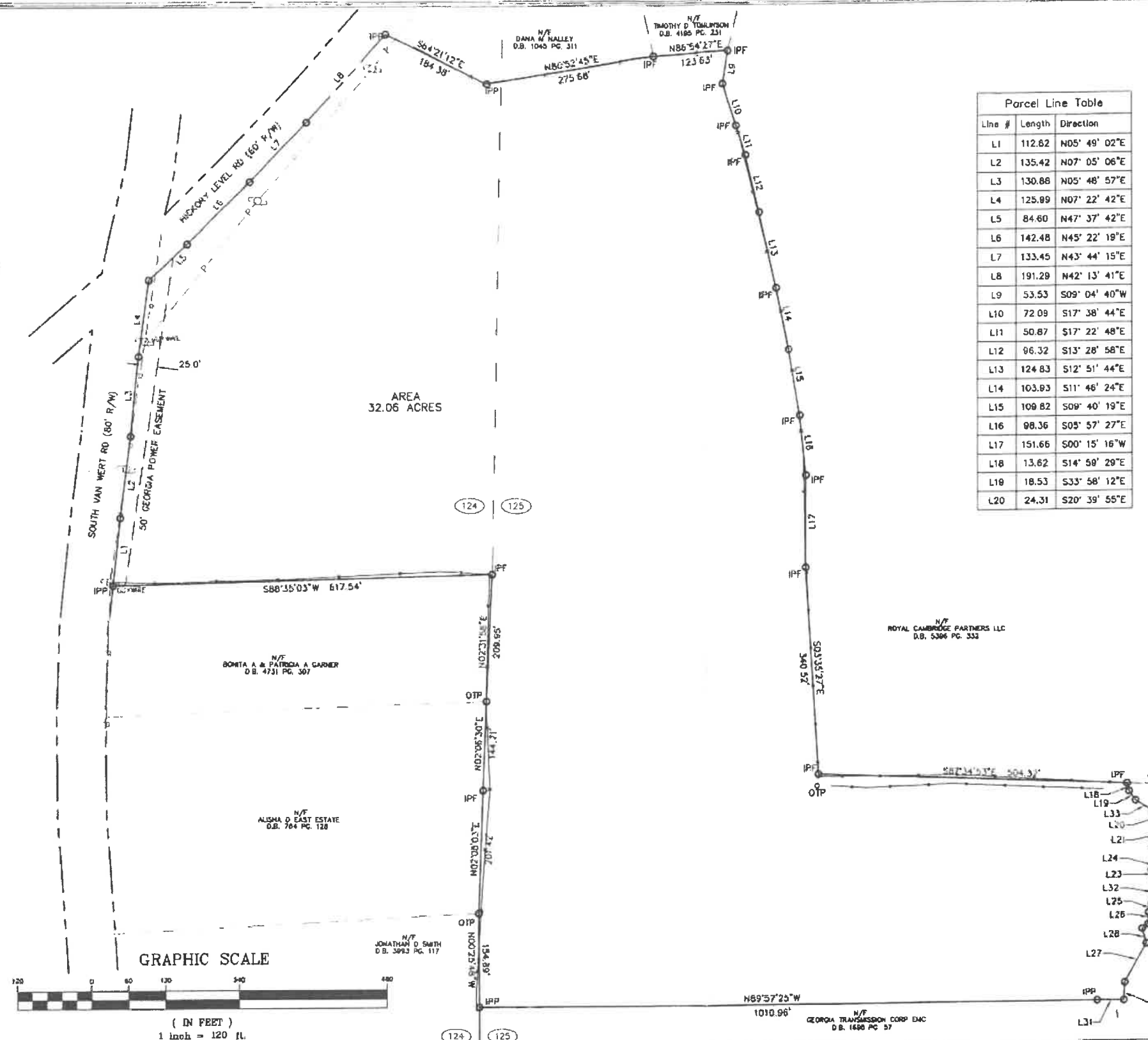


ALTA - NSPS LAND TITLE SURVEY
PROPERTY OF
C. JERRY TOLBERT
TAX PARCEL 159 0120
2664 SOUTH VAN WERT ROAD,
VILLA RICA, GA 30180
LAND LOTS 92, 93, 100 & 101,
6TH DISTRICT, CARROLL COUNTY, GEORGIA

THE LAND CONSULTANTS, INC.
5449 HIGHWAY 4, LLC
LAURENS, GA 31028
404-251-8723
Survey License No. 01206-10

SURVEY SHEET

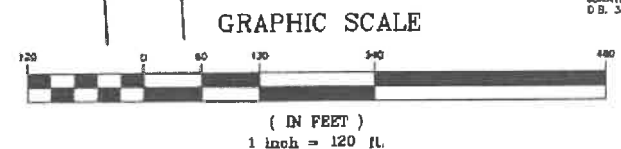
SHEET
2
OF
2



Parcel Line Table		
Line #	Length	Direction
L1	112.82	N05° 49' 02"E
L2	135.42	N07° 05' 06"E
L3	130.88	N05° 48' 57"E
L4	125.89	N07° 22' 42"E
L5	84.60	N47° 37' 42"E
L6	142.48	N45° 22' 19"E
L7	133.45	N43° 44' 15"E
L8	191.29	N42° 13' 41"E
L9	53.53	S09° 04' 40"W
L10	72.09	S17° 38' 44"E
L11	50.87	S17° 22' 48"E
L12	96.32	S13° 28' 58"E
L13	124.83	S12° 51' 44"E
L14	103.83	S11° 46' 24"E
L15	109.82	S09° 40' 19"E
L16	98.36	S05° 57' 27"E
L17	151.66	S00° 15' 16"W
L18	13.62	S14° 58' 29"E
L19	18.53	S33° 58' 12"E
L20	24.31	S20° 39' 55"E

Parcel Line Table		
Line #	Length	Direction
L21	38.00	S16° 00' 16"W
L22	16.55	S30° 27' 30"E
L23	14.25	S12° 11' 34"E
L24	15.78	S36° 04' 51"W
L25	14.55	S19° 33' 25"W
L26	18.62	S01° 47' 22"W
L27	73.35	S29° 06' 33"W
L28	25.47	S15° 30' 53"E
L29	29.55	S03° 07' 58"W
L31	43.44	N89° 57' 25"W
L32	41.63	S04° 02' 22"W
L33	34.13	S58° 11' 25"E
L34	10.94	S04° 54' 15"W
L35	12.46	S52° 07' 39"W
L36	105.77	S87° 32' 16"E

LEGEND	
[101]	HOUSE NUMBER
[10]	LOT NUMBER
○	PROPERTY CORNER
○	UTILITY POLE
□	R/W MONUMENT
○	SANITARY SEWER
□	POWER BOX
□	TELEPHONE BOX
□	CABLE TV BOX
-P-	OVERHEAD POWER
-X-	FENCE LINE
IPF	IRON PIN FOUND (1/2" REBAR UNLESS NOTED)
IPP	IRON PIN PLACED (1/2" REBAR)
OTP	OPEN TOP PIPE
[11]	LAND LOT NUMBER



BOUNDARY SURVEY FOR:
BRENDA M MATTHEWS

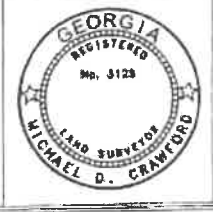
LOCATED IN LAND LOT 124 & 125 DISTRICT 6
CARROLL COUNTY, GEORGIA
SCALE: 1" = 120' DATE: 08/13/2015
CHECKED BY: JN150715
3-15-105
SHEET 1 OF 1

CLOSURE
THE FIELD DATA UPON THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 1.00 PER ANGULAR POINT, AND WAS ADJUSTED USING CRANDALL RULE.
NAD83 AZIMUTH 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
1. NO TITLE OR ABSTRACT RESEARCH WAS PERFORMED BY THE UNDERSIGNED FOR THIS SURVEY.
2. WARNING: THIS PLAT OR SURVEY MAKES NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OF ANY EASEMENTS OR ANY TYPICAL ABSTRACT OR TITLE SEARCH WAS PERFORMED TO DISCOVER THE EXISTENCE OF ANY EASEMENTS.
3. NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OR LOCATION OF UNDERGROUND STRUCTURES IS IMPLIED, ONLY THOSE ITEMS SHOWN.

4. NO WARRANTY OR GUARANTEE AS TO ENVIRONMENTAL ISSUES HAS BEEN IMPLIED, ONLY THOSE ITEMS SHOWN HEREON HAVE BEEN ADDRESSED.
5. ONLY ACTS OF POSSESSION IF ANY, THAT ARE VISIBLE FROM CASUAL INSPECTION 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.
6. THE ACCEPTANCE OF THE PLAT HEREON AND MEASUREMENTS USED AND SET OUTING THE PRESENTMENT OF THE FIELD SURVEY, HEREBY GRANT THE TOWN OR CONTRACT HEREON 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 REQUIRED MUST BE PAID TO THE UNDERSIGNED PRIOR TO COMMENCEMENT OF WORK.
7. NO WARRANTY OR GUARANTEE AS TO COUNTY OR CITY ORDINANCE ISSUES, 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 MINIMUM STANDARDS AND REQUIREMENTS OF LAW.
GA REG. L.S. #3125 MICHAEL D. CRAWFORD



GEORGIA & WEST, INC.
ENGINEERING • LAND SURVEYING • LAND PLANNING
105 CORPORATE DRIVE
CARROLLTON, GA 30117
E-MAIL: matt@georgiawest.com

OFFICE (770) 834-4884
FAX (770) 834-1005

March 21, 2025

Mr. Joe Fowler
Hartley, Rowe & Fowler, P.C.
VIA Email only

Re: Avemore rezoning application

Greetings,

This is to confirm that the requirement for site development plan in conjunction with Avemore, LLC's rezoning application is waived. We understand that while the technology district uses are proposed, a plan for the development of the property is not currently being presented. A detailed site plan will be required during the development process and as part of the development of regional impact review, if applicable.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. DeSanto', is written over a horizontal line.

Diana DeSanto
Interim City Manager

Chapter IV. Zoning Districts

Section 4.18 Technology Park Overlay District (TPOD).

Purpose. The Technology Park Overlay District is established for the development of higher echelon technology and business development seeking to develop separate facilities for management headquarters, data centers, training areas, low-impact light manufacturing, motion picture, television and other multi-media production research and development operations and offices.

Such facilities are often grouped together in order to provide common amenities, such as adequate and convenient parking, service, and utilities. Operations shall cause no radiation or radioactivity at any exterior wall and no electrical radiation that affects any operation or equipment other than those of the creator of the radiation. The establishment of such a district requires a predetermined development plan, appropriate screening, adequate separation from other land uses and more stringent controls. It is the primary intent of this district to allow for such areas in order to meet contemporary needs.

1. Principally permitted uses

The following uses, shall be permitted in TP Overlay Districts:

- A. Administrative operations (finance, insurance).
- B. Commercial printing.
- C. Commercial testing laboratories.
- D. Communications equipment Mfg.
- E. Computer and electronic repair and calibration.
- F. Computer operations and data processing
- G. Data Centers
- H. Corporate offices or headquarters.
- I. Design and engineering.
- J. Drugs and pharmaceuticals distribution and/or Mfg.
- K. Educational services.
- L. Electronic components Mfg.
- M. Electrical substations
- N. Hospitals, clinics, medical and dental offices, medical and dental laboratories, and veterinary clinics.
- O. Industrial controls Mfg. (used in industrial production for controlling equipment or machines).
- P. Management and professional services.
- Q. Metalworking machinery production.
- R. Motion picture, television and other multi-media production.
- S. Office machines Mfg.
- T. Office/research.
- U. Public/Govt. buildings.
- V. Pilot plants and production facilities.
- W. Plastic, composite products Mfg.
- X. Research and development Mfg.
- Y. Special industry machinery Mfg.
- Z. Transportation equipment Mfg.

AA. Unlisted use. The director may approve an unlisted use in this zoning district where the unlisted use is similar in type and nature to a listed use in that district.

2. Permitted accessory uses.

Permitted accessory uses are as follows:

- A. Employee lunchrooms.
- B. Temporary outside storage if the same is in conjunction with pilot plants or production facility uses, subject to being screened from adjoining properties.
- C. Recreational facilities for use by tenants, employees and clients.
- D. Private temporary living quarters associated with research and development
- E. Storage facilities within wholly enclosed buildings.
- F. Water Storage Facilities
- G. Trash receptacles.
- H. Telecommunication structures.
- I. On-site day care provided by businesses within the park for employees.
- J. Security structures, which may be installed within buffers and setbacks if located at approved entrances and exits.
- K. Battery storage
- L. Alternate fuel storage

3. Lot Standard

Standard	Setback Requirements
Minimum Lot Area	5 Acres
Minimum Lot Width	150 Feet
Minimum Lot Frontage	50 Feet
Building Height (Principal and Accessory Structures)	60 Feet (Excludes parapet walls, rooftop mechanical equipment, and penthouses).
Front Setback (Principal and Accessory Structures)	50 feet
Side Setback (Principal and Accessory Structures)	50 feet
Rear Setback (Principal and Accessory Structures)	50 feet
Minimum distance from structures on same lot	10 feet
Maximum Lot Coverage (Buildings)	60%
Maximum Lot Coverage (Total Impervious Area)	80%

Required lot standards shall only apply to external property boundaries with other properties not zoned as part of the TPOD. Minimum lot frontages, width and acreage shall not apply to subdivided lots within the TPOD, so long as the entirety of the contiguous development complies with these standards, and so long as the subdivided lot has adequate frontage on public or private roads and access drives to allow service.

4. Lighting Requirements

Lighting shall meet the requirements of Section 7.12 (Outdoor Lighting) of Chapter VII. Design Standards of the Zoning Ordinance.

5. Parking requirements

Parking shall meet the requirements of Section 7.02 (Off-street Parking and Loading) of Chapter VII. Design Standards of the Zoning Ordinance. Additionally,

- A. Each building shall provide 25 parking spaces minimum. Ancillary office buildings and other occupiable structures shall park at one space per 500 SF of GFA.
- B. Joint parking areas serving multiple buildings may be permitted onsite.
- C. Handicap accessible parking shall be provided in conformance with federal ADA requirements.
- D. Parking areas shall not extend into buffer areas.
- E. Unloading shall be onsite and not within the right-of-way.
- F. Parking space geometrics shall conform with Section 7.02 of the Zoning Ordinance.

6. Landscaping and Buffering

Landscaping shall meet the requirements of Section 7.05 (Landscaping Standards) of Chapter VII. Design Standards of the Zoning Ordinance. Additionally, buffer yards for TPOD Uses:

- A. Adjacent to Residential Districts: A minimum 75-foot buffer yard shall be maintained separating the TP property from all residential zoning districts. The buffer yard shall be planted per the Type 4 Bufferyard Standards of the Zoning Ordinance.
- B. Adjacent to Commercial Zoning Districts: A minimum 30-foot buffer yard shall be maintained separating the TP property from all commercial zoning districts. The buffer yard shall be planted per the Type 3 Bufferyard Standards of the Zoning Ordinance.
- C. Adjacent to Industrial Zoning Districts: A minimum 10-foot buffer yard shall be maintained separating the TP property from all industrial zoning districts. The buffer yard shall be planted per the Type 1 Bufferyard Standards of the Zoning Ordinance.

Fences in the TP Overlay District may exceed the maximum listed fence height of 8' in the Zoning Ordinance in all setbacks yards.

7. Noise

Noise shall meet the requirements of Section 9.04 Non-residential design standards, Item 16 Noise and Vibration Standards, of Chapter VII. Design Standards of the Zoning Ordinance.

Additionally,

- A. Generator testing is limited to between 7:00 a.m. and 5:00 p.m.;
- B. Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only.

Amendment to section 13.01 Definitions:

TECHNOLOGY PARK OVERLAY DISTRICT (TPOD): The Technology Park Overlay District (TPOD) is a planning tool used as a special zoning of an area that is growing and guided to support technology businesses to include their infrastructure needs. The Technology Park Overlay District is established for the development of higher echelon technology and business development seeking to develop separate facilities for management headquarters, data centers, training areas, low-impact light manufacturing, motion picture, television and other multi-media production research and development operations and offices to name a few.

27 Hickory Glen
Villa Rica, GA 30180

April 11, 2025

Dear Villa Rica City Council & Planning and Zoning Commission:

Subject: Potential Rezoning as discussed in the Jan. 14th Villa Rica City Council Meeting described as RA-01-25, Annex-01-25, Anex-02-25 to be discussed in the P&Z meeting of 4/15/25 and Villa Rica City Council Meeting of 4/28/25

I am writing to express my strong opposition to the rezoning of the property in above subject line on S. Van Wert Rd. from Agricultural to Industrial.

Rezoning this for Industrial application will be detrimental to the area as many residents in the S. Van Wert, Hickory Level, and Charleston Place Community along with non-subdivision neighbors are completely opposed to the rezoning of their area into "Light" Industrial or Industrial properties. We are sure this will will cause **traffic and safety problems**, destroy local **wildlife habitat, wet lands, and potentially lower the property values** of the existing community. In essence, our **quality of life and property values** will be negatively impacted.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. Additionally, there are **wetlands and flood plains** associated with this tract of land. , **I've requested Region 4 EPA via certified mail received March 4th, 2025 to investigate the wetlands and potential impact in addition to potential effects from industrial development so that they may be protected.**

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meetings or write letters and emails. **Attached to this request is a petition signed by approximately 50 people from the local community.** There are other petitions that have circulated where several hundred people are in opposition to the rezoning for light industrial or industrial development.

Additionally, S. Van Wert is a two lane, asphalt road, that is zoned for vehicles for 6 wheels and under. There is a reason for this; **culverts under the road that have a history of washing out.**

Thank you for your continued service and support of our communities.

Best regards,

A handwritten signature in dark ink, appearing to read "Paul Cutler". The signature is fluid and cursive, with the first name "Paul" and last name "Cutler" clearly distinguishable.

Paul Cutler

Attachments:

Signed Petitions from resident of S. Van Wert Rd & Charleston Place opposed to the "New Technology" Park / Industrial Development

Copy of letter sent to the United States Environmental Protection Agency, Water Division

Subject: Bay Springs Creek and Wetlands

Dated: 2/27/2025 Received: 3/4/25

27 Hickory Glen
Villa Rica, GA 30180

February 27, 2025

Ms. Kathlene Butler
United States Environmental Protection Agency
Water Division
61 Forsyth Street SW
Atlanta, GA 30303

Re: Bay Springs Creek and Wetlands

Dear Ms. Butler,

On January 14th, 2025, the City of Villa Rica, GA voted on the annexation and then rezoning of 204.53 acres of Agricultural land located on S. Van Wert Rd. in Carroll County, GA. This is a residential road stretching less than 4 miles with entrances/exits for 5 subdivisions.

This land was immediately rezoned "Industrial" after less than 30 minutes of public outcry that fell on deaf ears. One might ask, "Who would dump an Industrial Park into a residential area?" While this question may appear to be rhetorical, the answer is simple. This would be done by politicians and a developer that could care less about wetlands in order to profit a nickel or make a name for themselves.

A plot plan (attached) shows the lay of the land with one of the subdivisions off S. Van Wert Rd. (Walkers Pond). There is another subdivision that adjoins the newly acquired land (Charleston Place). A topographical map (attached) shows Bay Springs Creek along with tributaries. Included in the topographical map is the "conceptual" plan or "vision" of how the Industrial Park would be developed. This property is located between 2664 S. Van Wert Rd and 2377 S. Van Wert Rd in Villa Rica, GA. This residential road has been in place for over 100 years and will essentially be right in the middle of the newly zoned industrial park. A county residential road in the middle of an Industrial Park!

As with many projects, the attached conceptual plan is probably subject to revisions. It is not sure how the developer (or clients) plan to **traverse these wetlands** without permanently disturbing the environment. This is extremely disturbing and we are requesting the US EPA get involved with reviewing this area so as to protect this from development(s) as this would **unfavorably impact the creek, tributaries, and wetlands.**

Of further concern is the potential effluent and runoff from industrial facilities in the vicinity of S. Van Wert. Additionally, Villa Rica does not have an established sewer system or water treatment plant on S Van Wert. There are treatment facilities near N. Van Wert (the other side of Interstate 20). The subject of water treatment and sewage was brought up with the Villa Rica City Council (recorded and found on YouTube) with consequential cost that would burden taxpayers. As stated earlier, this also fell on the deaf ears of the city council and mayor.

We have put together a petition with over 400 names in this public outcry and filed a civil action with the Carroll County Courts as many procedural issues arose during our discovery of how this situation came about in a haste to push this project. We are positive that the Villa Rica City Council, mayor, and developer will move forward fixing these procedural issues and then blindly go down a path of rapid development.

If the situation involving ***The Code of Federal Regulations §230.41 Wetlands*** falls within your domain, we humbly implore and request your help in this matter. If this is a situation involving a different department or person, we are requesting that you get this documentation into their hands for review and action.

Ms. Butler, thank you in advance for your help and we look forward to your inputs on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Cutler". The signature is fluid and cursive, with the first name "Paul" and last name "Cutler" clearly distinguishable.

Paul Cutler

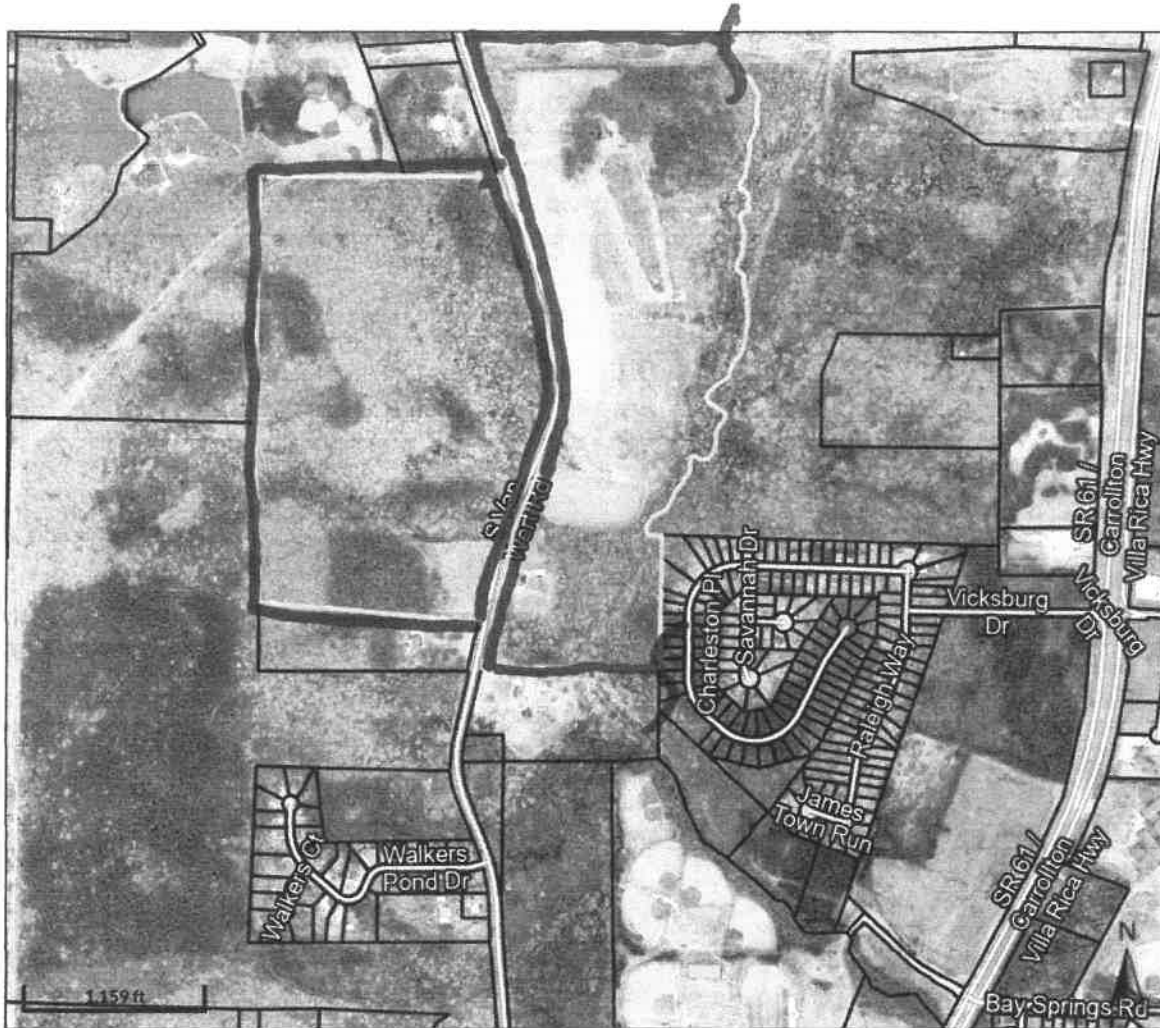
Enclosures: Plot plan of area
Topographical Map of area and Bay Springs Creek, Tributaries, and Wetlands

CC: Ms. Suzanne Rubini
United States Environmental Protection Agency
Office of Regional Council
61 Forsyth Street SW
Atlanta, GA 30303

Mr. Jefferson Allen
Cohen Cooper Estep & Allen
3330 Cumberland Blvd
Suite 600
Atlanta, GA 30339

Additional Distribution to various citizens of the following residential communities in close proximity to the newly annexed and rezoned property:

Residents (outside of subdivisions) S Van Wert Rd Community
Residents (outside of subdivisions) Hickory Level Rd Community
Residents (outside of subdivisions) Ithaca Gin Rd Community
Charleston Place Subdivision
Walkers Glen Subdivision
Lost Lake 1 Subdivision
Lost Lake II Subdivision
Ridgeside Subdivision
Hickory Fall Apartments
Oak Place Subdivision
Autumn Run Subdivision
Spring Haven Subdivision
Bay Springs East Subdivision
Summergate Subdivision
Twin Oaks Subdivision



Overview



Legend

-  Parcels
-  Roads

Parcel ID 169 0120
Class Code Agricultural
Taxing District COUNTY
Acres 204.53

Owner AVEMORE GA LLC
P O BOX 2789
SUWANE, GA 30024
Physical Address 2664 S VAN WERT RD
Assessed Value Value \$962946

Last 2 Sales		Reason	Qual
Date	Price		
12/16/2024	0	QC	U
12/16/2024	\$7200000	LM	Q

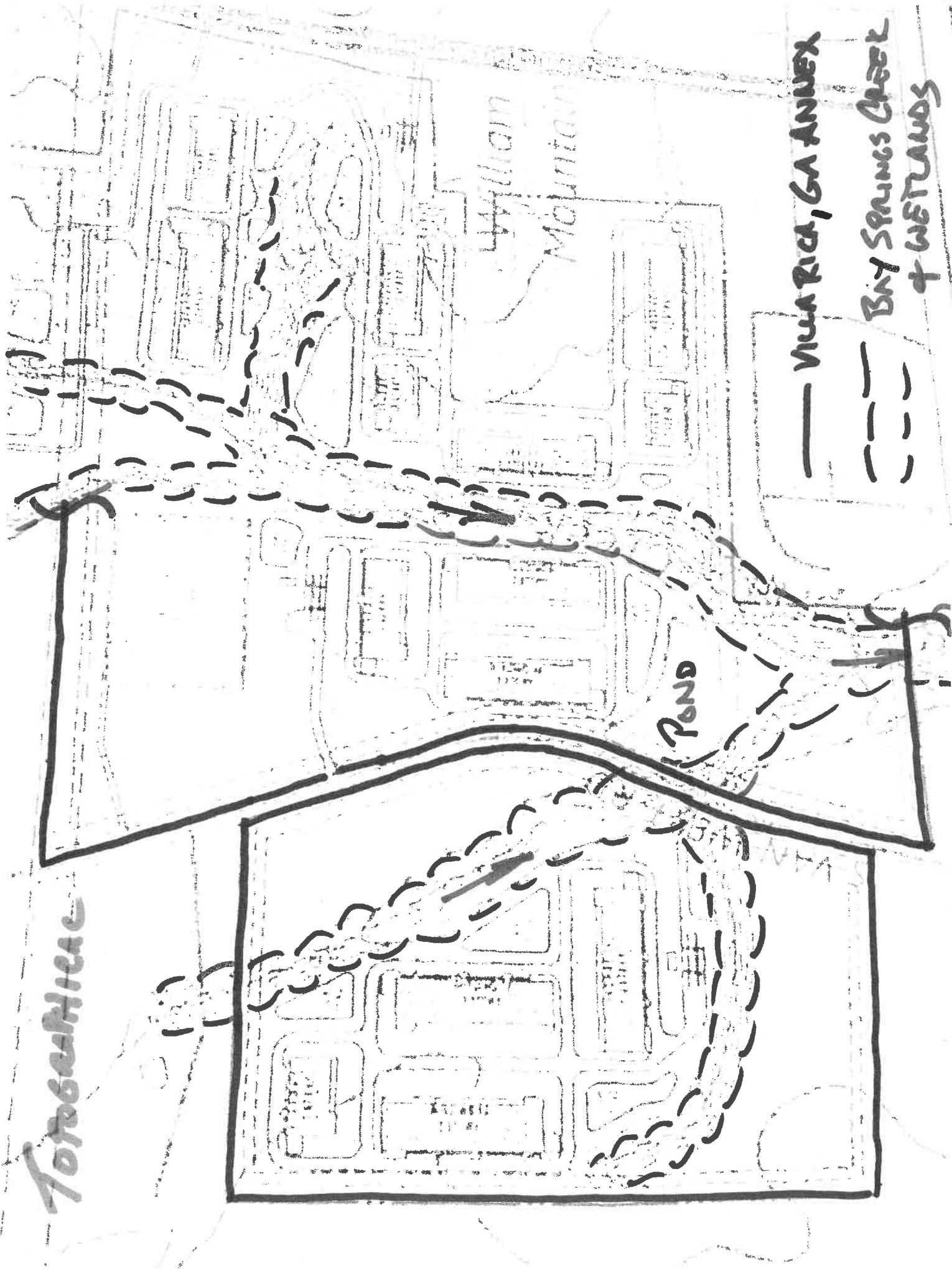
(Note: Not to be used on legal documents)

Date created: 2/11/2025

Last Data Uploaded: 2/10/2025 5:56:29 PM

Developed by  **SCHNEIDER**
GEOSPATIAL

Topographical



— VIA RICA, GA ANNEX

- - - BAY SPRINGS CREEK

. . . WETLANDS

Mountain

POND

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MS. KATHLENE BUTLER
US EPA
61 FORSYTH ST. SW
ATLANTA, GA 30303



9590 9402 8840 4005 1613 02

2. Article Number (Transfer from service label)

9589 0710 5270 2431 6237 32

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Jm McClain

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

J. McClain

C. Date of Delivery

3/4/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

☐ Mail Restricted Delivery
)

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MS. SUZANNE RUBINI
US EPA
61 FORSYTH ST SW
ATLANTA, GA 30303



9590 9402 8840 4005 1613 19

2. Article Number (Transfer from service label)

9589 0710 5270 2431 6237 49

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Jm McClain

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

J. McClain

C. Date of Delivery

3/4/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

stricted Delivery

Domestic Return Receipt

I am filing this letter in **STRONG** opposition to the City of Villa Rica's plan regarding annexation and rezoning properties with the end result being a data center being built.

It is being widely reported that the overbuilding of data centers is resulting in abandoned buildings and significant financial losses nationwide. I firmly believe that Villa Rica is heading in the wrong direction with this endeavor and will regret going down this path.

Additionally, the sneaky, underhanded way that this has been handled raises **HUGE** red flags as to what is really going on and who is actually benefitting.

Also the massive amount of laws, regulations, and ordinances both city and state that were blatantly broken, leads me to wonder if anyone in charge really **KNOWS** what they are doing, or **CARES** what they are doing. It appears that this has turned into a "get it done no matter what" situation. And to what end? This is **NOT** a Villa Rica type of project. Stop the secrecy, the lies, the ignoring of rules and get **OUT** of this deal while you can before you cause irreparable harm to the quality of life, the environment, property values, and the financial stability of the city.

A handwritten signature in dark ink, appearing to read 'Dan Christner', with a long horizontal flourish extending to the right.

Dan Christner

2377 S. Van Wert Rd.

Villa Rica, GA

April 11, 2025

In response to the letter sent to "Adjacent Property Owners" about the **Rezoning** request from Avemore GA LLC and the associated **Annexation** request, this is to specify that I am in opposition to these actions. My home of many years in on the adjacent property in a residential neighborhood. This has been a quiet, peace neighborhood with wild life and natural surroundings. This proposal changes everything. We would now become an industrial neighborhood with none of the advantages we have today. It will affect our property values and our way of life.

Sincerely,

A handwritten signature in blue ink that reads "Karen K Hartley". The signature is fluid and cursive, with the first name "Karen" and the last name "Hartley" clearly legible.

Karen Hartley

2367 S Van Wert Rd

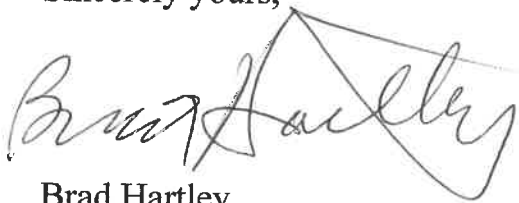
Villa Rica, GA 30180

11 April 2025

Dear Sir:

The filing for the rezoning does not mention the opposition lawsuit filed as a result of your actions in January, plus I sent an email to all council members as well as other government officials throughout the state outlining my concerns and opposition to the proposal.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Brad Hartley". The signature is written in dark ink and is positioned above the printed name.

Brad Hartley

2367 S Van Wert Rd

Villa Rica, GA

Petition to Stop the New "Technology" / Industrial Development

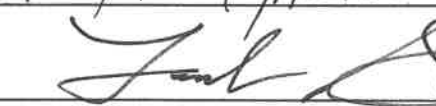
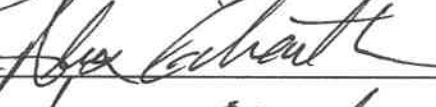
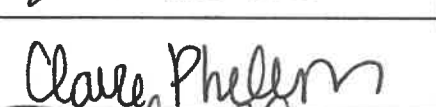
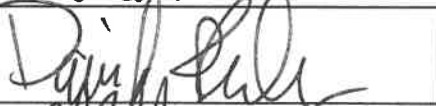
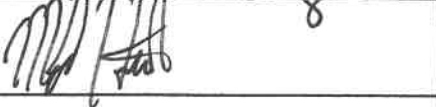
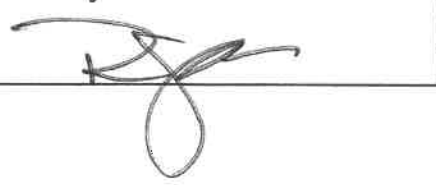
adjacent to S. Van Wert & HWY 61 in Villa Rica, GA

Printed Name

Signature

Address

Date

EVELYN COLE		100 Oak Chase	1/26/25
BRUCE A. YARBROU		200 CHERWOOD R	1/25
TRACEY YARBROU		200 CHERWOOD R	1/25
Landon Smith		225 Cherwood R	1/26
Brittany Smith		"	1/26
STEPHEN GILBERT		90 HICKORY GLEN	1/26
ALEXIS GILBERT		"	1/26
APRIL GILBERT		"	1/26
Tony Thompson		78 Hickory Glen	1/27
Donald Bloom		58 Hickory Glen	1/27
Linda Bloom		"	1/27
Claire Phillips		39 Hickory Glen	1/27
David Phillips		39 Hickory Glen	1/27
Mitchell Hamilton		90 Oak walk	1/27
RANDY JONES		73 Hickory Glen	1/27

Petition to Stop the New "Technology" / Industrial Development

adjacent to S. Van Wert & HWY 61 in Villa Rica, GA

Printed Name

Signature

Address

Date

Heather Forrester	Heather Forrester	208 Raleigh Way	1/29/25
Jacob Forrester	Jacob Forrester	208 Raleigh Way	1/29/25
David Surette	David Surette	411 Charleston Pl	1/29/25
Andre Banks	Andre Banks	414 Charleston Pl	1/29/25
John Soga	John Soga	412 Charleston Pl	1/29/25
Ellicka Harmon	Ellicka Harmon	429 Charleston Place	1/29/25
Mark McNeil	Mark McNeil	431 Charleston Pl.	1/29/25
Charleen Brown	C.N. Brown	437 Charleston Pl	1/29/25
Chris Fleming	Chris Fleming	468 Charleston Pl	1/29/25
Berlin Fleming	Fleming	468 Charleston Pl	1/29/25
gl / [unclear]	[unclear]	447 Charleston	1/29/25
Frankie Williams	Frankie Williams	460 Charleston Place	1/29/25

**Petition to Stop the New "Technology" / Industrial Development
adjacent to S. Van Wert & HWY 61 in Villa Rica, GA**

Printed Name	Signature	Address	Date
Preston Shannon Muse	Preston Muse	103 Autumn Run Villa Rica GA 30180	
Dasha Williams	Dasha Williams	412 Belle Circle Columbus, MS 39702	
Curtis Turberville	Curtis Turberville	123 Autumn Run Pl. Villa Rica GA 30180	1-25-25
Sandra Turberville	Sandra Turberville	123 Autumn Run VR GA 30180	1/25/25
Maxwell Turberville	Maxwell Turberville	123 Autumn Run Pl. Villa Rica GA 30180	1/25/25
James R Burdette	James R Burdette	131 Autumn Run Pl. Villa Rica GA 30180	1/25/25
Melissa Cobb-Pichner	Melissa Cobb-Pichner	135 Autumn Run Plac	1/25/25
Kyle Thomas	Kyle Thomas	138 Autumn Run Plac	1/25/25
CHASE HAMM	CHASE HAMM	151 Autumn Run Pl	1/25/25
Doran McEddy	Doran McEddy	152 Autumn Run Plac	1/25/25
EARL DUFFY	Earl Duffy	158 Autumn Run Pl	1-25-25

adjacent to S. Van Wert & HWY 61 in Villa Rica, GA

Date _____

[illegible]

adjacent to S. Van Wert & HWY 61 in Villa Rica, GA

For Legal Civil Action

[illegible]

DEVELOPMENTS OF REGIONAL IMPACT (DRI) *REPORT OF FINDINGS*

Project ID: DRI #4451
Project Name: Avemore
Name of Host Jurisdiction: Villa Rica
Date: May 5, 2025

The Three Rivers Regional Commission (TRRC) has completed its review of the Development of Regional Impact (DRI) for DRI #4451 – Avemore, a technology campus project proposed to be located in the City of Villa Rica, GA. The trigger for the DRI in this project is a rezoning request; the threshold exceeded is the size of the proposed development. TRRC conducted a careful review of the information submitted by the local government, adopted plans and road data, and comments from potentially affected agencies. Potentially affected parties were requested to submit comments on the proposed project during the fifteen-day period of April 15, 2025 to April 30, 2025.

Project Overview

The developer, Atlas Development, LLC, is proposing a technology campus/data center project on an approximately 428-acre site (approximate location can be found at this [Google link](#)). The site is located in the City of Villa Rica, and is adjacent to SR 61 and South Van Wert Rd. The developer is requesting a rezoning from PUD & Agriculture to PUD & PUD Amendment. This site had a DRI review that was begun in December 2024 as DRI #4347, which was withdrawn due to TRRC determination of needing more site information. The site also went through a DRI review as DRI #2858 in 2018 for a different land use. Despite limited information on the site design, TRRC has determined that a review at this point is beneficial for transparency and early notification to affected parties and decision-makers. The proposed build out completion timeframe for the project is 2028, pending approval from necessary parties.

Context in Regional Plan and Regional Resource Plan. TRRC reviewed the proposed project with regards to regional and interjurisdictional impact and consistency with the Department of Community Affairs (DCA) Quality Community Objectives, the [Three Rivers Regional Plan 2024](#), the [Three Rivers Regionally Important Resource Plan](#), and other local and regional plans.

- According to the 2024 Three Rivers Regional Plan, the proposed development site is within the Developing Areas classification within the Regional Land Use and Conservation and Development maps. The site also lies within the Areas of Rapid Development classification of the Areas Requiring Special Attention Map (maps attached, located in the plan starting on page 18). TRRC encourages stakeholders to incorporate the desired development patterns and implementation measures for Areas of Rapid Development (discussed starting on page 23), including:
 - Increased accessibility and safety for all users including vehicles, pedestrians, and cyclists.
 - Site and building designs should be sensitive to the site's natural features and environmental characteristics.

Context within Comprehensive Planning

Decision-makers should consult the 2024 Villa Rica Comprehensive Plan to ensure land use decisions align with the envisioned character and growth strategies for the site, city, and surrounding areas. The plan can be found at [this link](#).

- Per the plan, primary needs for development patterns include: quality corridor development to ensure development along corridors (such as SR 61) is coordinated with existing land use patterns and does not increase traffic congestion (p. 12).
- Per the future land use map (p. 24), the site is identified as Suburban Mixed Use (described on page 30).

Natural Resources Planning and Resiliency Considerations

The development is anticipated to include data center buildings, which can have a substantial footprint and impact the hydrology and absorbency of the site, as well as water supply within the watershed. Per the DRI information form 1, the building could be up to 80% impervious surface.

- **Discrepancies in Water Information.** This site underwent a TRRC DRI review in 2018 (DRI #2858) for residential development, and the information form and hydrology report (attached) for that project indicated streams and floodplains **are** on the site. However, the information form for this DRI #4451 indicates that water supply watersheds, significant groundwater recharge areas, wetlands, or floodplains **are not** on the site. Additionally, the QPublic map (attached) shows: 1) a stream through the middle of the site going north to south, and 2) floodplains in the southwest area of the site, directly north of a subdivision. Decision-makers must have accurate hydrology information to ensure that stormwater and water quality impacts are fully addressed for this site, adjacent sites, and the community.
- **Careful Design.** The project design should incorporate low impact design to minimize disruption to the existing hydrology to prevent impacts to the site's absorption capacity as well as reduce impacts to water quality downstream. An abundance of caution and proactive water planning should be used. Flood maps have not always been updated to reflect development over the last decade, while Villa Rica's population has grown substantially over the last two decades, already changing the hydrology of the area and susceptibility to damaging floods. Consultation with landscape architecture and hydrology professionals is encouraged to ensure that this project treats on-site waterbodies as an asset for flood prevention and water quality protection.
- **Groundwater Recharge Areas.** This site is within a groundwater recharge area per [Carroll County's Groundwater Recharge Areas Map](#) and the [Georgia's Groundwater Recharge Areas Map](#) produced by the Department of Community Affairs (maps also attached).
- **Alignment with Water Plans.** The proposed development is within the Middle Chattahoochee Water Planning Region, which works to protect water quality and supply in the region as well as downstream communities. Villa Rica and the developer should follow the water management practices in Section 6 of the [2023 Water Resources Management Plan](#). The [Georgia Stormwater Manual](#) should be used in the site design of this project. Per the manual: addressing stormwater management begins with the site planning and design process. Development projects can be designed to reduce their impact on watersheds when efforts are made to conserve natural areas, reduce impervious cover, and better integrate stormwater treatment. By implementing a combination of these nonstructural approaches, collectively known as Better Site Design (BSD), it is possible to reduce the amount of runoff and pollutants generated by a site and provide for some nonstructural on-site treatment and control of runoff. (p. 41).
- **Water Demand.** Villa Rica should ensure that its water supply capacity is sufficient to meet the demands of the project. The city should consider requiring the installation of cooling technologies that minimize water consumption to reduce the strain on the local water supply.

- **Research from Other Data Centers.** Data centers are a relatively recent land use to this region, and stakeholders are encouraged to obtain as much information as possible on the natural resources impacts of these buildings and technologies from developers, jurisdictions, and water/power authorities that have already worked with this type of development.
 - For instance, a recent Spalding County data center project (DRI #4425) is proposing on-site solar installation. This type of practice could help reduce demand for local utilities and infrastructure.
- **Tax Revenue for Greenspace, Trails, Etc.** The city is encouraged to dedicate some of the substantial tax revenue generated from this project to the acquisition of environmentally sensitive land elsewhere in the city to increase local resiliency and greenspace.

Historic Resources

- This site contains the National Register listed Williams Family Farm. The [listing can be found here](#), and [photos can be found here](#). The project narrative and lack of site plan do not show how the house and historic site would be impacted. The National Register of Historic Places property contains not only the house but includes the surrounding setting, historic landscape, and portions of the original roadway. The property also includes remnants of the Civilian Conservation Corps portion of the farm site. It is important that the historic farmhouse and maximum portion of the historic setting be considered due to its contribution as part of Villa Rica's identity and future growth strategy. If preservation of the site and associated historic structures is not feasible, it is recommended that developer and municipality consider all possible mitigation activities such as moving the historic house and other structures to another location in the community, construct a historic marker (Georgia Historical Society format), completing a formal survey and photo documentation (using the Guidelines for Establishing a Photographic Permanent Archival Record (PAR) by a professional meeting the Secretary of the Interior's Professional Qualifications Standards (SOI)).

Connectivity and Road Safety

- **Traffic Study & Construction Phase.** A traffic study has not yet been conducted for this site but is highly encouraged for decision-makers to have accurate transportation information. Once built, data centers might not generate many daily trips due to a limited number of on-site employees. However, strong consideration also needs to be given to the traffic impacts of the project during the construction phase, as projects of this scale can become major construction sites that impact nearby roadways with many trucks over several years. The city, county, GDOT and developer must work closely to plan for the construction phase. Stakeholders are encouraged to consult with other jurisdictions that have had recent data center construction projects to discuss best practices and lessons learned.
- **Alignment with Transportation Plan.** Stakeholders are encouraged to consult the [Villa Rica Transportation Master Plan](#) in consideration of the project's impacts on the transportation network. The SR 61 corridor adjacent to this site is shown in a heatmap of crashes on page 35 and Level of Service C for morning conditions (page 38) and Level of Service D for afternoon conditions (page 39). All stakeholders are encouraged to work together to ensure road safety, congestion, and connectivity are addressed in this project. Per the plan, the site is the proposed location for the South Connector Bicycle/Pedestrian Trail (pages 44-45).

- **Crash Data.** The site is adjacent to a highly-traveled road network that includes SR 61 and South Van Wert Rd. The 5-year data for vehicle crashes is attached to show: 1) fatal and serious crashes (labeled as K&A crashes) for the City of Villa Rica, and 2) all crashes for the road corridors proximate to the project site.
 - **Fatal and Severe Crashes for City.** Per this data, Villa Rica has had 85 fatal and serious crashes over the last five (5) years, with 2024 having the highest amount. This crash rate is approximately 17 fatal and serious crashes per year, or almost 1.5 per month. Over 75% of these crashes were intersection related, over 36% were distracted-driver related, and over 12% were large-truck related. SR 61 is one of the highest locations for crashes.
 - **Crashes Near Project Area.** Per this data, the road network closest to the project site have had a total of 1,442 crashes (all severity levels) over the past five (5) years, with 4 being fatal. This rate is approximately 288 crashes per year, and 24 per month. Over 73% of these crashes were intersection related, over 54% were distracted driver related, and over 7% were large truck related.

Comments

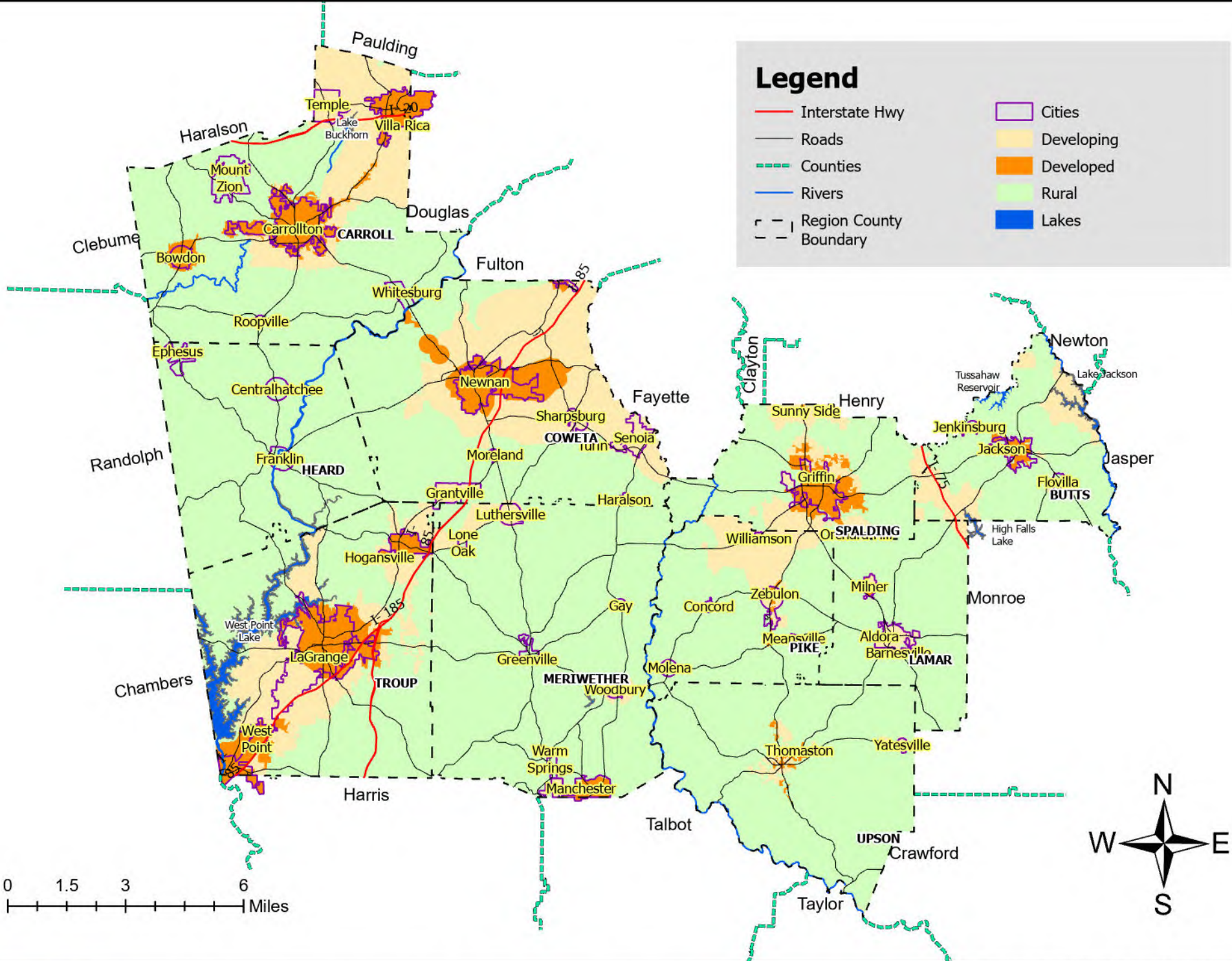
Comments for this project were received from Carroll Tomorrow and the Carroll County Chamber of Commerce, and the Georgia Agricultural Land Trust. These documents are attached in this report.

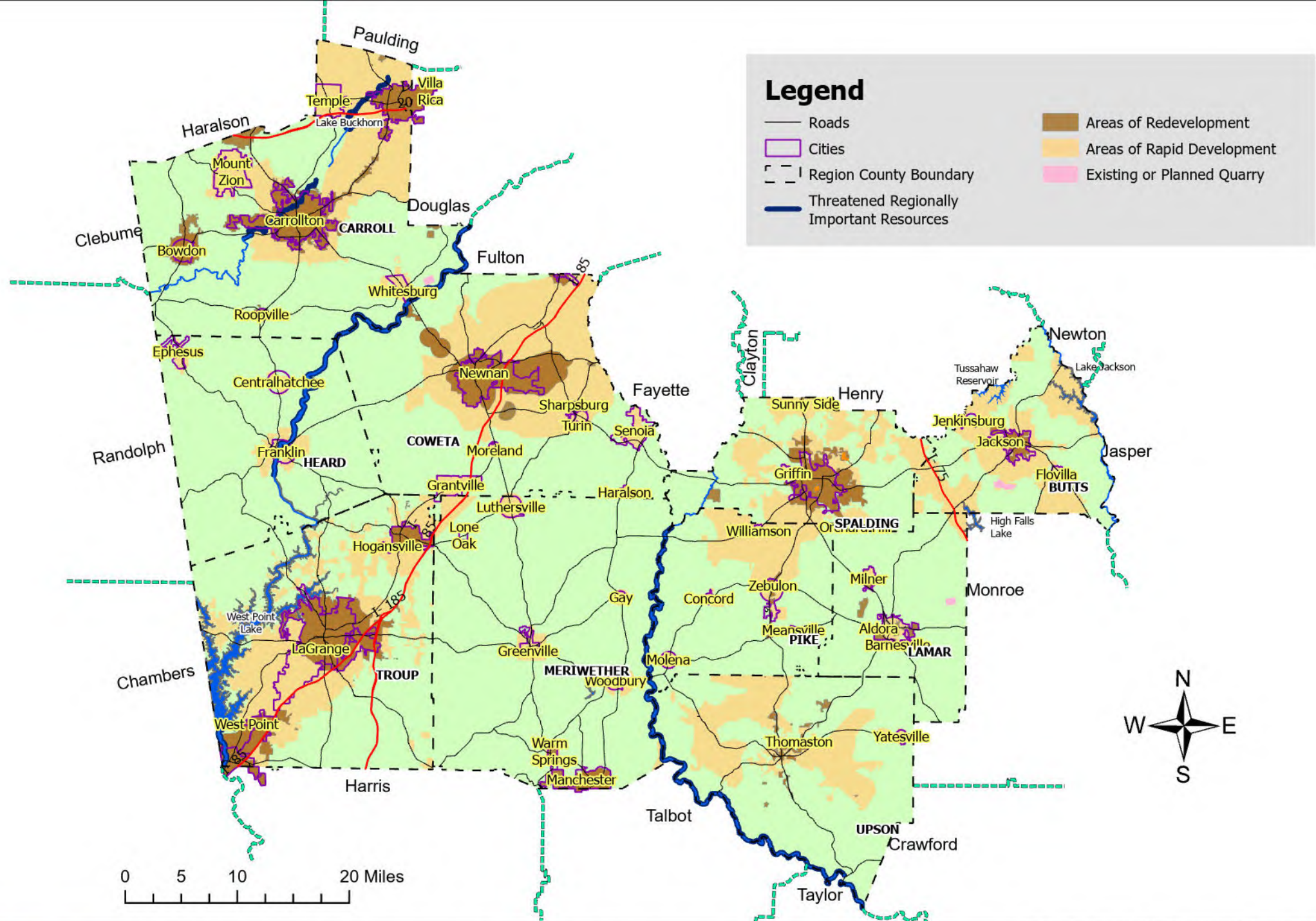
Transmittal

The transmittal of this Report of Findings officially completes the DRI process. The City of Villa Rica may proceed with the final official action it deems appropriate regarding the proposed project, but it is encouraged to take the materials presented in the DRI report into consideration when rendering its decision. The enclosed information is advisory in nature and under no circumstances should be considered as binding or infringing upon the host jurisdiction's right to determine for itself the appropriateness of development within its boundaries.

Attachments

- Three Rivers Regional Plan Maps
- Comments
- QPublic screenshot of future flooding in site area
- Maps: groundwater recharging areas
- Documentation from DRI #2858 review: information form and hydrology report
- Villa Rica Transportation Master Plan reference pages
- Villa Rica and Project Area Crash Data (All Crashes and Life-Altering (KA) Crashes)





**Three Rivers Regional Commission
Development of Regional Impact (DRI)
Comments from Affected Parties**

Project ID: DRI #4451 – Avemore (City of Villa Rica)

Commenting Organization: Carroll Tomorrow and the Carroll County Chamber of Commerce

Street Address: 200 Northside Drive

City: Carrollton State: GA Zip Code: 30117

Contact Person: Brian Dill Phone: 770-832-2446 Email: brian@carroll-ga.org

Do you believe your jurisdiction will be affected
by the proposed development?

YES ☒

NO ☐

Please describe the effects (**positive** or negative) that the proposed project could have on your jurisdiction
(please attach additional pages, if necessary):

Carroll Tomorrow, a private/public economic development agency and marketing arm for Carroll County and municipal jurisdictions within its boards, enthusiastically supports the proposed technology development encompassed within DRI#4451. We believe a development of this type, and not an additional heavy residential/commercial opportunity at this location, represents the highest and best use of the properties in question. This alleviates concerns about traffic, demands on the schools and public services as well as public safety. The Carroll County Chamber of Commerce also supports the City of Villa Rica's ability and obligation to manage the proposed use to the benefit of its citizens, other business owners and industry within the city limits.

Form Completed by: Brian Dill

Title: President - CEO

Signature: Brian Dill

Date: 4/15/2025

Mail or Email this form to:

Stephanie Wagner, Planner
Three Rivers Regional Commission
P.O. Box 818 - Griffin, GA 30224
P: 678-692-0510
Email : swagner@threeriversrc.com

Comments on DRI #4451 will be accepted beginning Tuesday, April 15, 2025.

All comments are due by Wednesday, April 30, 2025.

**Three Rivers Regional Commission
Development of Regional Impact (DRI)
Comments from Affected Parties**

Project ID: DRI #4451 – Avemore (City of Villa Rica)

Commenting Organization: Georgia Agricultural Land Trust, Inc.

Street Address: 148 Clinic Avenue

City: Carrollton **State:** GA **Zip Code:** 30117

Contact Person: Dec Perry **Phone:** 678-977-2574 **Email:** agtrustga@gmail.com

**Do you believe your jurisdiction will be affected
by the proposed development?**

YES ☒

NO ☐

**Please describe the effects (positive or negative) that the proposed project could have on your jurisdiction
(please attach additional pages, if necessary):**

See attached

Form Completed by: Dec Perry

Title: Executive Director

Signature: Dec Perry

Date: 4/28/2025

Mail or Email this form to:

Stephanie Wagner, Planner
Three Rivers Regional Commission
P.O. Box 818 - Griffin, GA 30224
P: 678-692-0510
Email : swagner@threeriversrc.com

Comments on DRI #4451 will be accepted beginning Tuesday, April 15, 2025.

All comments are due by Wednesday, April 30, 2025.

Comments DRI #4451 Avemore
Data Center Villa Rica, GA

The DRI application noted as #4451 Avemore is devoid of any real facts or plans so it makes it difficult to make detailed comments. The 428-acre site is comprised of four individual tax parcels under mixed ownership. It is located on very busy highway 61 that is the main artery for traffic to and from Carrollton and I-20. The project area also breaches a smaller two-lane road. This area is mixed – dominantly residential and ag land with very scattered light commercial. Bay Springs Middle School is less than half a mile from the proposed project and Ithica Elementary School is 1.3 miles away. The Villa Rica Civic Center and Sports Complex is .6 miles from the proposed location.

Within one parcel of the proposed project is an approximate 10-acre historic site listed on the U.S. National Register of Historic Places. This area is known as the Williams Family / Goldworth Farm. It sits in close proximity to Williams Mountain. Part of Williams Mountain sits on the proposed building site. This historic site was added to the register in 2005. Until the sale of the property in 2016, it had been in the same family since 1874. The applicant does not describe, as requested, how this area may be affected.

For this set of comments, the soil content of the entire project acreage as well as the acreage of the largest parcel was studied. The USDA/NRCS classifies all the soils in the US and categories soils that are considered prime farmland soils and soils of statewide importance for agriculture. These numbers are critical because the US is losing viable farmland at an accelerated rate of 2,000 acres a day. Georgia is ranked fourth in the nation for farmland loss. Overall, the project property has 207 acres (45.8%) of prime farmland soils and soils of statewide importance. Of particular note is the largest parcel which has been actively farmed for many years. That specific parcel has 125.5 (60.7%) of 204 acres that have soils recorded as prime farmland soils and soils of statewide importance. These soils are vitally important, not just for the ag economy of Georgia and the nation, but as prime food production acres. Once these soils are covered over by development, they will never return. A Soil Map and key are attached.

There are FEMA designated floodplains contrary to the applicant stating there were none. They are located in the southwestern quadrant (map attached) of the project area. Bay Springs Creek runs the length of the project property from the northeast corner to the mid southern boundary. There are other water sources on the property as indicated by the attached Surface Water Map. While there are no large wetlands present, there are likely wet weather wetlands that appear in times of heavy rain as the property slopes down from the Williams Mountain area toward the floodplain area (see attached topography map).

The entire project area is in the Piedmont and Blue Ridge Crystalline Rock Aquifers system. This system ranks second in the nation for domestic drinking water supply and currently provides 360 million gallons of water a day to a population of 25 million people from Atlanta, Georgia all the way to Philadelphia, Pennsylvania. This aquifer has been threatened in recent years from over development. The current proliferation of data centers in the aquifer area will only increase demand. Water-scarce areas of the US are already facing issues managing their water and the impact made by data centers. Water, like farmland soils, are a precious resource and one that life needs for survival. Project #4451 has not indicated their water consumption needs on their application but other data center projects report using 1MGD to 5MGD. There is no evidence presented that water is available to meet the demands of this data center as well as the needs of the county residential sector. Currently the neighboring county of Douglas has 11 data centers and recently placed a moratorium on data center applications to review their water needs. Douglas County has now announced they are faced with enlarging their reservoir.

The other issues concerning water include water pressure and cleanliness for area residences. There are reports that residential areas around data centers have been faced with reduced water pressure (i.e., Georgia's META facility) and dirty water. This is not an optimum situation for residential citizens who rely on water to support their homes. Because this application does not indicate how much water it will require, it is impossible to fully comment on what kind of impact this will have on the local water supply capabilities.

The application does not address wastewater disposal other than there is not sufficient capacity available to serve the project. Because of the heavy metals and chemicals present in data center waste water, specialized treatment of the waste water is required. While some data centers reuse their wastewater through a closed loop system and on-site water treatment (examples are Google and Amazon), this is not common practice at this time. It is difficult to make an educated comment without knowing how this facility plans to address their wastewater needs.

Regarding Land Transportation, the application indicates less than 15 MVT a day. This seems extremely low. This number would certainly be higher during the construction phase. Other recent data center applications, even ones smaller than this project, have indicated far more MVTs a day. For example, Project Peach has indicated 800 MVTs a day. Due to the location of this project, it would seem prudent that a traffic study be required.

The application indicates that the landfill will be able to handle solid waste and there will not be any hazardous waste. Carroll County no longer has a landfill. Data centers create

a significant amount of hazardous e-waste due to the rapid refresh cycle of their equipment. Carroll County's transfer station does not accept hazardous materials of any kind including lithium batteries (due to fire hazard). Without a plan for disposal of this hazardous e-waste, commenting on solid waste disposal is impossible.

Regarding Stormwater Management, the application indicates the city's landscaping, setbacks, etc., will be adhered to for this project. Without a site plan, it is difficult to comment on Stormwater Management. Given the amount of water on the property, the sloping nature and elevations of certain areas and the floodplain area, extra precautions should be explored to mitigate any excess water issues, particularly as they pertain to neighboring properties (which includes a subdivision) and the area protected by a perpetual conservation easement (see next paragraph).

There is an additional parcel not included in the project but is surrounded on three sides by the proposed project that is under a perpetual conservation easement held by the Chattowah Open Land Trust and the easement has been in place since 2002. The easement prohibits development of any kind as well as "disturbances, alterations or impairment of the natural, scenic and aesthetic features of the property". There is a very detailed Deed of Conservation Easement filed with the Carroll County Clerk of Court outlining the care of this property and what is and is not allowed in Deed Book 2083-339. Care would have to be taken close to the boundary lines of this easement so as to not risk damage to the property or its conservation value.

The location of this project poses a number of issues – environmental, geographic, geologic, historic as well as inadequate infrastructure capability. Without clear data on requirements for a project this size and no clear plan to address any of these issues or mitigation strategies, this project should be delayed until all the concerns can be addressed thoroughly.

84° 56' 14" W



0 500 1000 2000 3000 Feet
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84



Table—Farmland Classification (DRI #4451)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Cfs	Chewacla silt loam, 0 to 2 percent slopes, frequently flooded	Farmland of statewide importance	71.2	15.7%
DrB2	Davidson gravelly loam, 2 to 6 percent slopes, eroded	All areas are prime farmland	33.7	7.4%
DrC2	Davidson gravelly loam, 6 to 10 percent slopes, eroded	Farmland of statewide importance	57.9	12.8%
DrD2	Davidson gravelly loam, 10 to 15 percent slopes, eroded	Not prime farmland	51.0	11.3%
DsB3	Davidson gravelly clay loam, 2 to 6 percent slopes, severely eroded	Not prime farmland	1.6	0.3%
DsC3	Davidson gravelly clay loam, 6 to 10 percent slopes, severely eroded	Not prime farmland	25.6	5.7%
DsD3	Davidson gravelly clay loam, 10 to 15 percent slopes, severely eroded	Not prime farmland	34.4	7.6%
GIC2	Grover gravelly fine sandy loam, 6 to 10 percent slopes, eroded	Farmland of statewide importance	4.6	1.0%
LkE	Louisa gravelly fine sandy loam, 15 to 40 percent slopes	Not prime farmland	4.3	1.0%
MDD3	Madison gravelly clay loam, 10 to 15 percent slopes, severely eroded	Not prime farmland	40.2	8.9%
MhB2	Madison gravelly fine sandy loam, 2 to 6 percent slopes, eroded	All areas are prime farmland	13.7	3.0%
MhC2	Madison gravelly fine sandy loam, 6 to 10 percent slopes, moderately eroded	Farmland of statewide importance	26.5	5.9%
MhD2	Madison gravelly fine sandy loam, 10 to 15 percent slopes, moderately eroded	Not prime farmland	11.0	2.4%
MhE	Madison gravelly fine sandy loam, 15 to 25 percent slopes	Not prime farmland	53.2	11.8%
MoB	Masada fine sandy loam, 2 to 6 percent slopes	All areas are prime farmland	0.2	0.0%

Custom Soil Resource Report

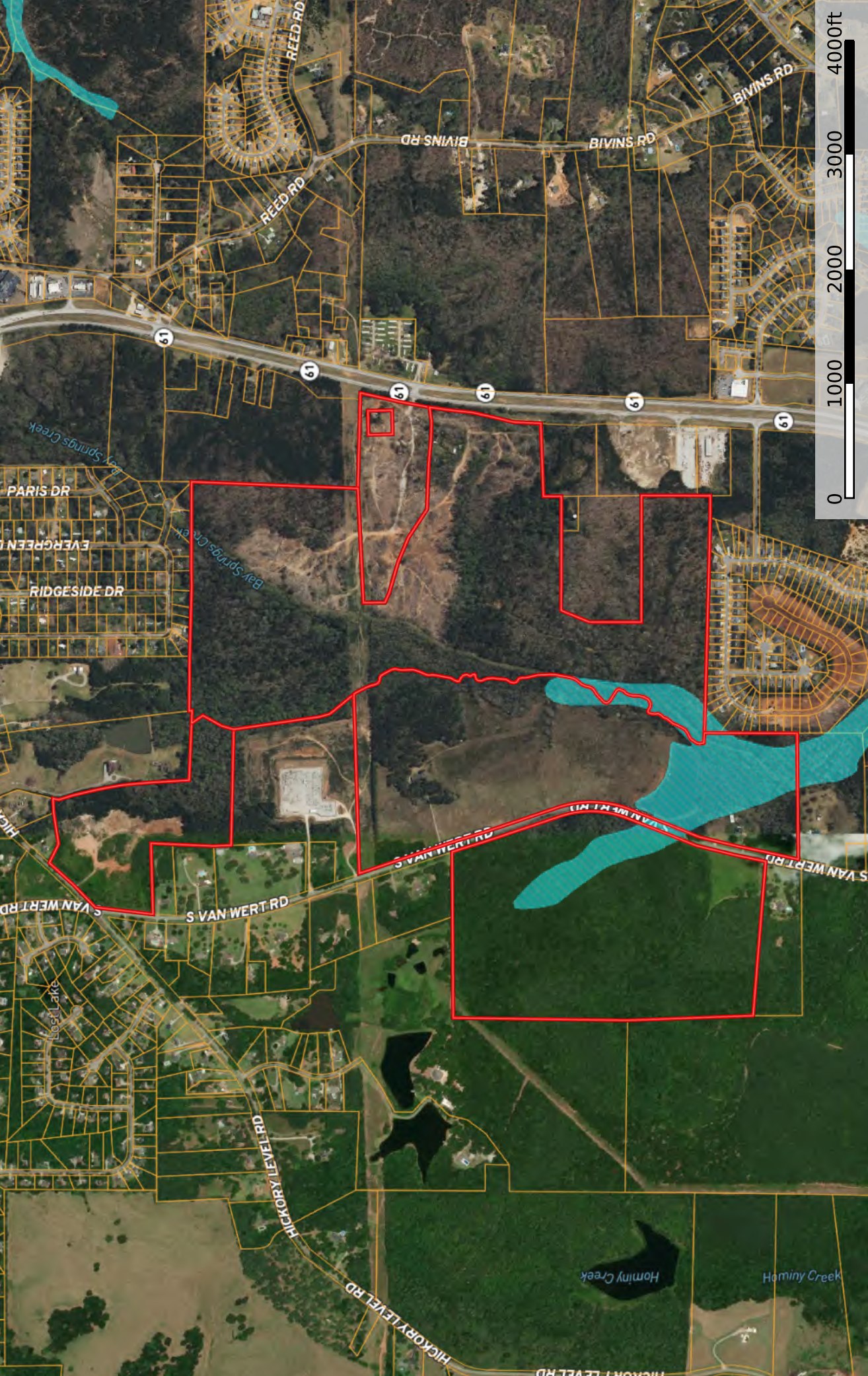
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
ThE3	Tallapoosa gravelly clay loam, 15 to 25 percent slopes, severely eroded	Not prime farmland	2.9	0.6%
W	Water	Not prime farmland	6.0	1.3%
WjE	Wilkes stony loam, 15 to 25 percent slopes	Not prime farmland	14.2	3.1%
Totals for Area of Interest			452.1	100.0%

Rating Options—Farmland Classification (DRI #4451)

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

DRI #4451 Avemore FEMA Flood Map
Georgia, AC +/-



- Boundary
- 100 Year Floodplain
- 500 Year Floodplain
- Floodway
- Special
- Unmapped/ Not Included

Dee Perry

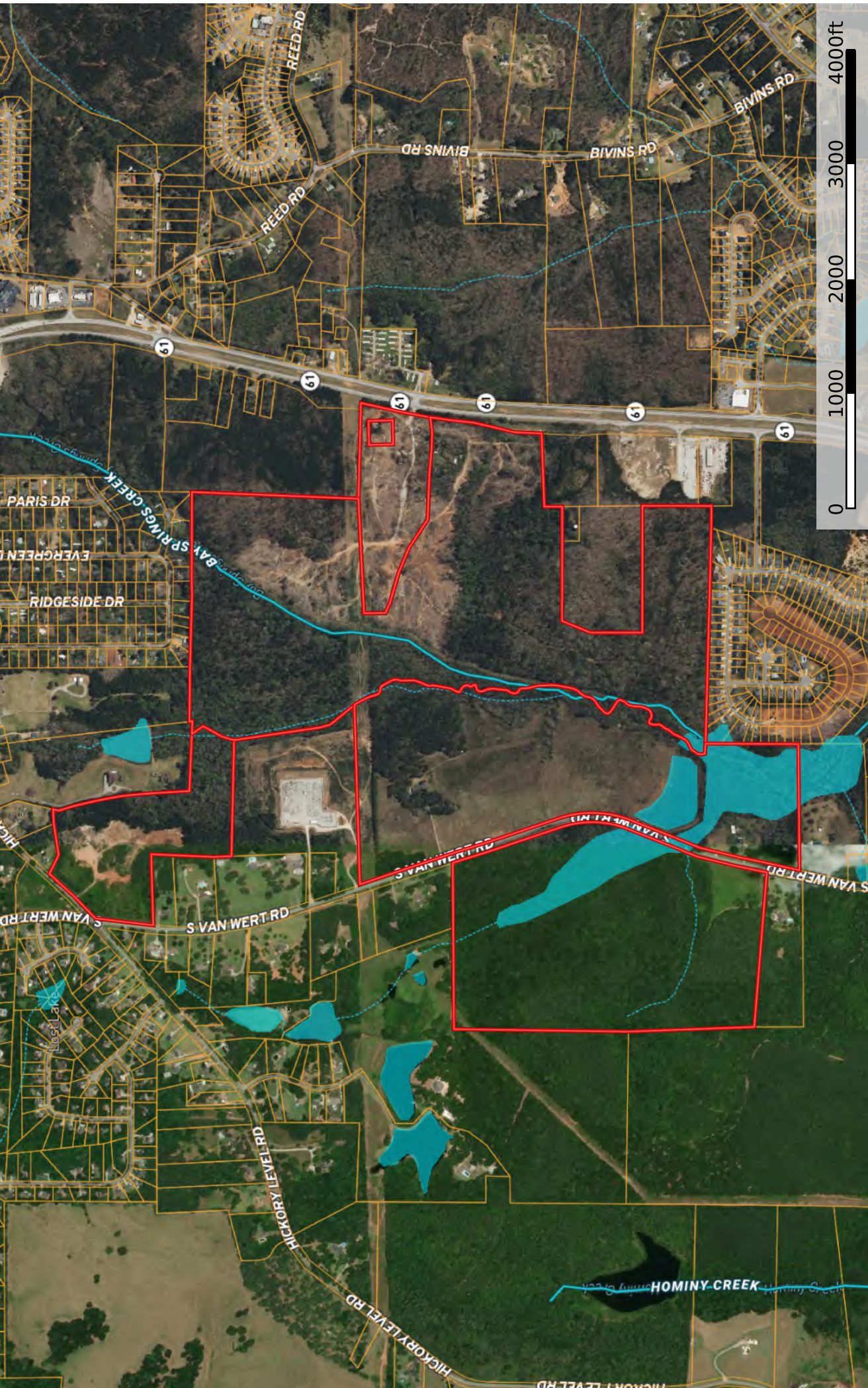
P: 678-977-2574

148 Clinic Avenue, Carrollton, GA, 30117



The information contained herein was obtained from sources deemed to be reliable. Land id™ Services makes no warranties or guarantees as to the completeness or accuracy thereof.

DRI #4451 Avemore Surface Water Map
Georgia, 428 AC +/-



Boundary Stream, Intermittent River/Creek Water Body

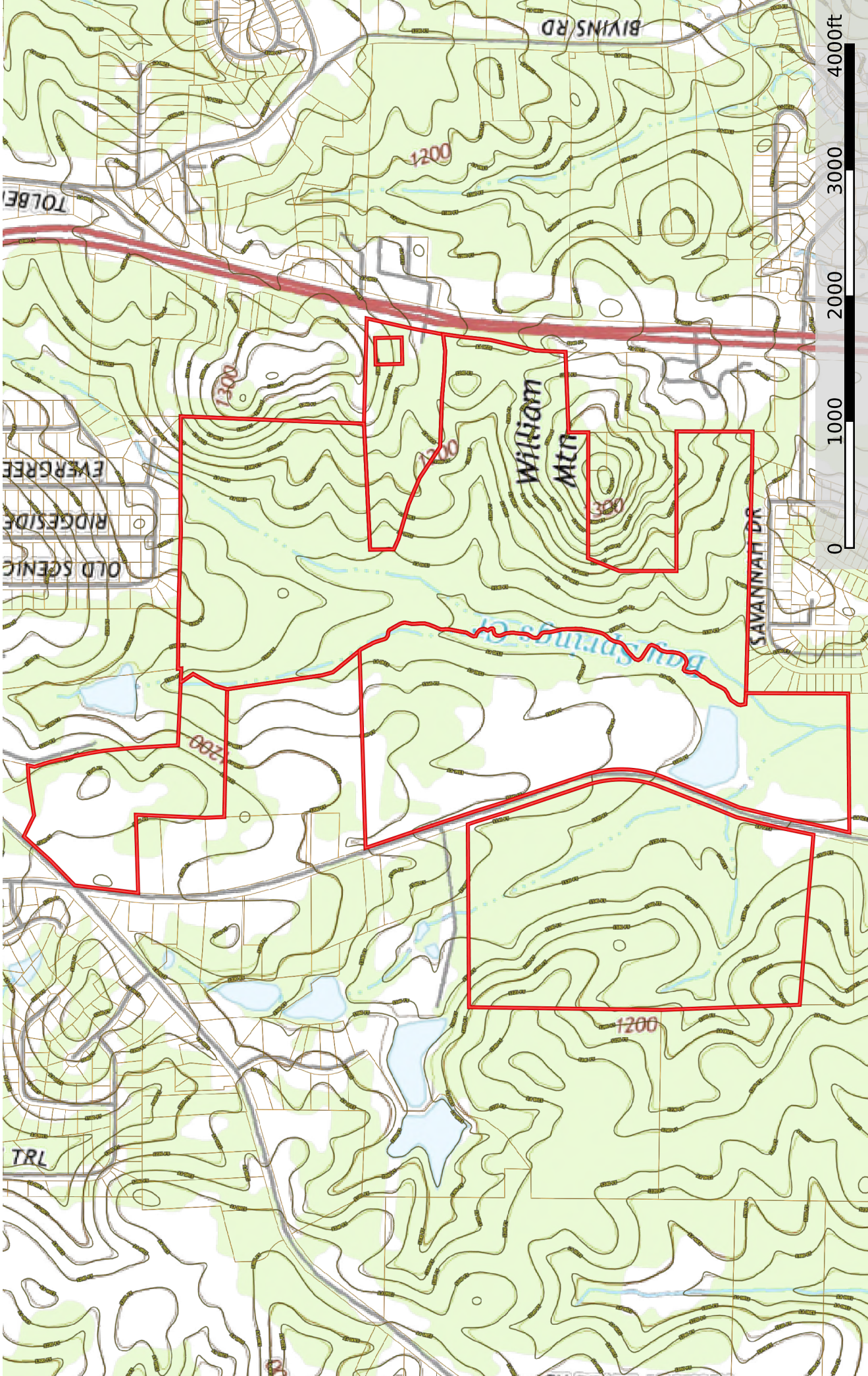
Dee Perry

P: 678-977-2574

148 Clinic Avenue, Carrollton, GA, 30117



The information contained herein was obtained from sources deemed to be reliable. Land id'm Services makes no warranties or guarantees as to the completeness or accuracy thereof.

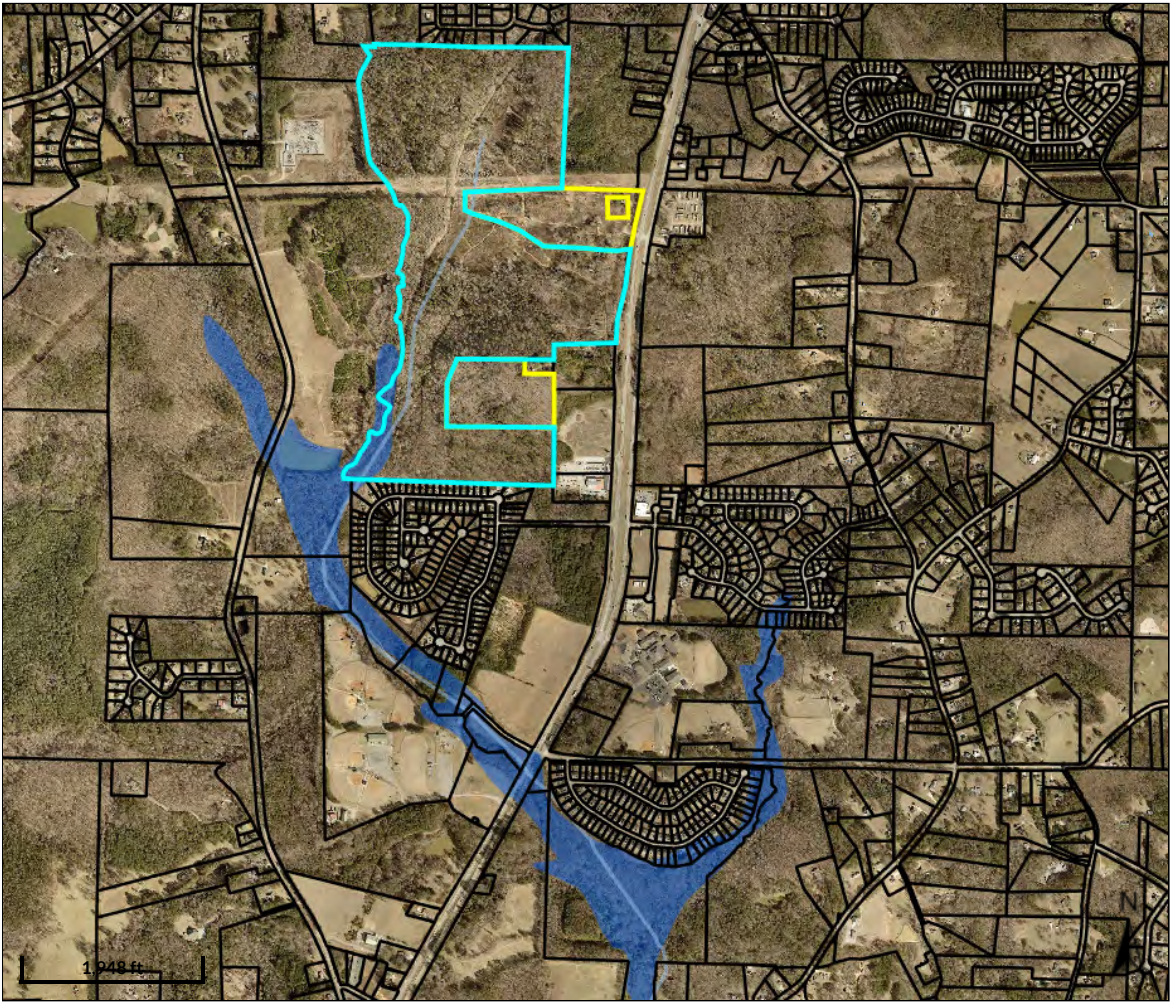


Boundary

Dee Perry

P: 678-977-2574

148 Clinic Avenue, Carrollton, GA, 30117



- Legend**
-  Parcels
 -  Roads
 -  Streams and Rivers (Large)
- Flood Map**
-  A - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Base Flood Elevations (BFE) have not been determined.
 -  AE - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Determined by detailed methods with Base Flood Elevations (BFE).
 -  VE: Coastal SFHA with BFE & velocity wave action - Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
 -  X: 500 Year Flood - Areas of 0.2% annual chance flood

Parcel ID	V07 0140003	Owner	AVEMORE GA LLC	Last 2 Sales			
Class Code	Agricultural		P O BOX 2789	Date	Price	Reason	Qual
Taxing District	VILLA RICA		SUWANEE, GA 30024	1/5/2024	0	LA	U
Acres	192.9	Physical Address	63 GOLDWORTH RD	10/6/2023	\$5076000	MP	U
		Assessed Value	Value \$1085626				

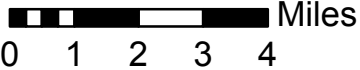
(Note: Not to be used on legal documents)

Date created: 5/1/2025
Last Data Uploaded: 4/30/2025 5:58:39 PM

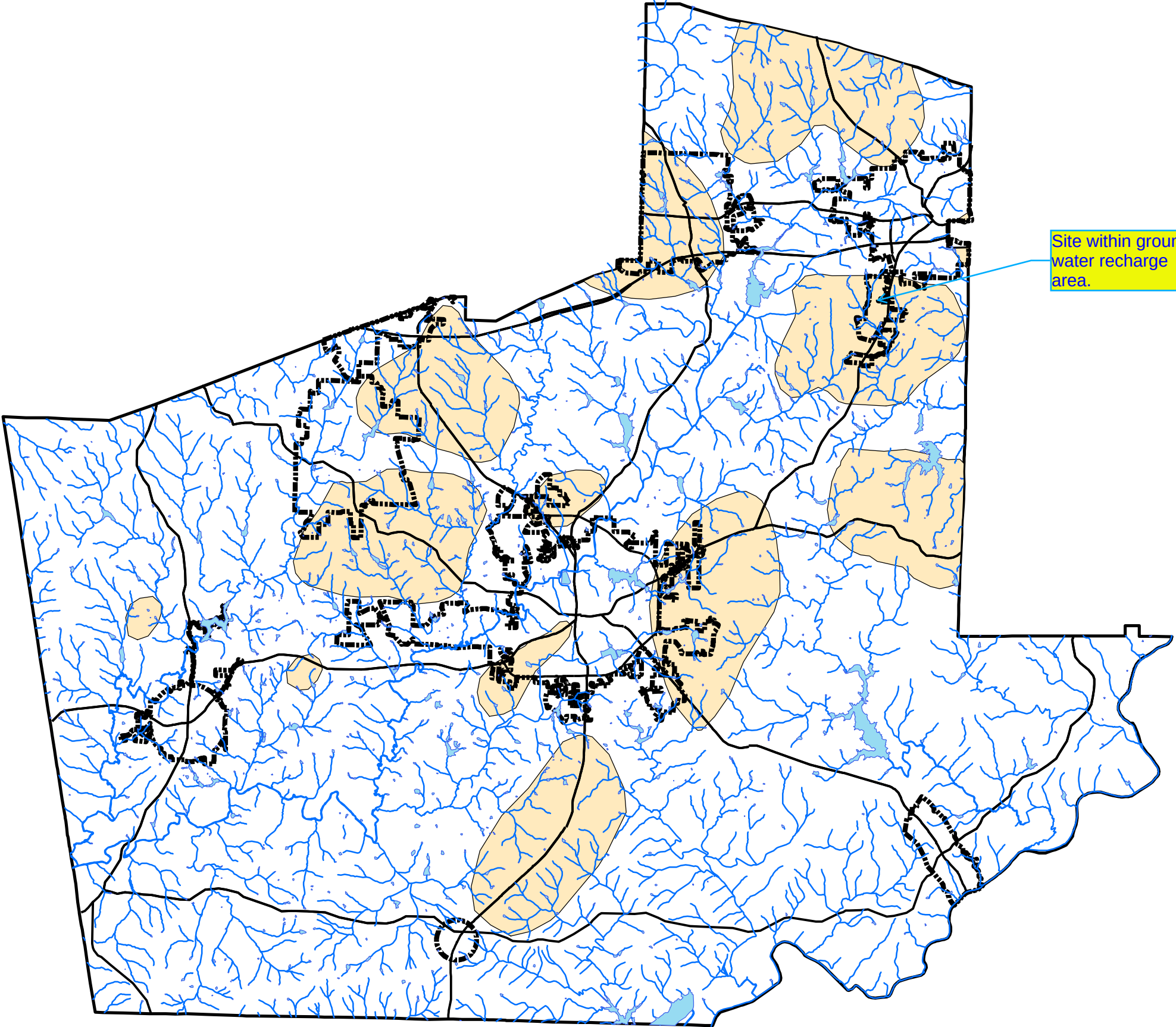
Groundwater Recharge Areas Carroll County, Georgia

Legend

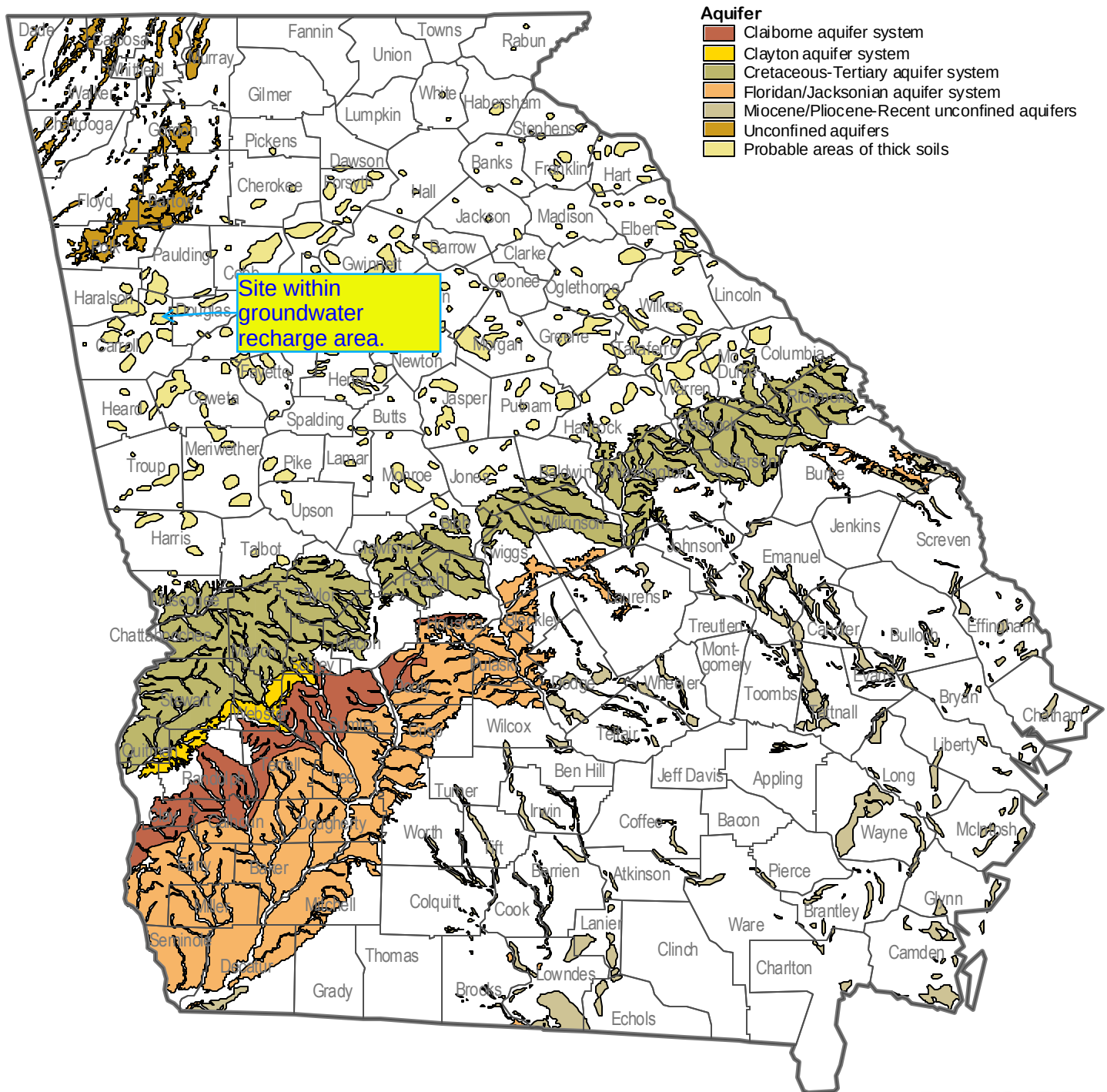
-  Lakes
-  Streams
-  Incorporated Cities
-  Ground Water Recharge Area



Please use this map as a guide and not as definitive information. The areas depicted by this map are approximate and are provided for illustrative purposes only. While every effort has been made to ensure the accuracy, completeness, correctness, and timeliness of information presented within this map, the burden for determining appropriateness for use rests solely with the user. This map is provided "as is" with no warranties, express or implied.



Georgia's Groundwater Recharge Areas



Data Source: Georgia Geologic Survey
Produced by the Georgia Department of Community Affairs



The logo for the Georgia Department of Community Affairs features a green silhouette of the state of Georgia. Inside the outline of the state, the word "Georgia" is written in a serif font, followed by "Department of" in a smaller sans-serif font, and "Community Affairs" in a large, bold, sans-serif font. The entire logo is set against a green background.

Georgia Department of Community Affairs

Developments of Regional Impact

[DRI Home](#)[Tier Map](#)[Apply](#)[View Submissions](#)[Login](#)

DRI #2858

DEVELOPMENT OF REGIONAL IMPACT Additional DRI Information

This form is to be completed by the city or county government to provide information needed by the RDC for its review of the proposed DRI. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

Local Government Information

Submitting Local Government: Villa Rica
Individual completing form: Lenise Lyons
Telephone: 678-840-1225
Email: llyons@villarica.org

Project Information

Name of Proposed Project: The Avemore Village
DRI ID Number: 2858
Developer/Applicant: Winchester Real Estate Group
Telephone: 478-737-8279
Email(s): rbconners@gmail.com

Additional Information Requested

Has the RDC identified any additional information required in order to proceed with the official regional review process? (If no, proceed to Economic Impacts.)
(not selected) * Yes No

If yes, has that additional information been provided to your RDC and, if applicable, GRTA?
(not selected) Yes * No

If no, the official review process can not start until this additional information is provided.

Economic Development

Estimated Value at Build-Out: 100,000,000

Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development: 242,000

Is the regional work force sufficient to fill the demand created by the proposed project?
(not selected) * Yes No

Will this development displace any existing uses?
(not selected) Yes * No

If yes, please describe (including number of units, square feet, etc):

Water Supply

Name of water supply provider for this site: City of Villa Rica

What is the estimated water supply demand to be generated by the project, measured in Millions of Gallons Per Day (MGD)? 0.33 MGD

Is sufficient water supply capacity available to serve the proposed project? ☐ (not selected) • Yes • No

If no, describe any plans to expand the existing water supply capacity:

Is a water line extension required to serve this project? ☐ (not selected) Yes • No

If yes, how much additional line (in miles) will be required?

Wastewater Disposal

Name of wastewater treatment provider for this site: City of Villa Rica

What is the estimated sewage flow to be generated by the project, measured in Millions of Gallons Per Day (MGD)? 0.25 MGD

Is sufficient wastewater treatment capacity available to serve this proposed project? ☐ (not selected) Yes • No

If no, describe any plans to expand existing wastewater treatment capacity: Sewer lines will need to be upgraded to accommodate the development

Is a sewer line extension required to serve this project? ☐ (not selected) Yes • No

If yes, how much additional line (in miles) will be required?

Land Transportation

How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day? (If only an alternative measure of volume is available, please provide.) 1445

Has a traffic study been performed to determine whether or not transportation or access improvements will be needed to serve this project? ☐ (not selected) • Yes • No

Are transportation improvements needed to serve this project? ☐ (not selected) • Yes • No

If yes, please describe below: Avemore community should have two points of access at SR 61 (Scenario #2). Driveways #1 and #2 should be spaced at least 400 feet apart. The intersection of SR 61 and Driveway #1 should operate as a signalized intersection. Condition 1, based on cross-product, of the left turn phasing warrant indicates that a protected left turn phase is not warranted, though within a very close margin of being warranted, for the northbound left turn. However, because Condition 1 is close to being satisfied, and because there are other influencing factors such as high mainline speeds, clearance distance for leftturning vehicles, and elderly driver population, it is recommended that a northbound left turn phase be provided. The northbound left turn should operate as protected/permissive with a four-section flashing yellow arrow (FYA), while the southbound left should be permissive only with a three-section FYA. The northbound and southbound approaches of the SR 61 and Driveway #1 Intersection should have a Type B median crossover design (reference Figure 21 for Type B median configuration). It is recommended that Driveway #1 have two approach lanes. The approach lanes should be configured as a dedicated left turn lane and a shared through/right lane with right turn channelization. Driveway #1 should be constructed so that it aligns with the existing driveway on the opposite side of the intersection. It is recommended that Driveway #2 operate under unsignalized RCUT geometry. A median break for the U-turn movements should be constructed a minimum of 1320 feet south of Driveway #2. Dedicated right turn lanes should be constructed for the southbound approaches of both driveways. These lanes should have a minimum full storage length of 250 feet. A dedicated left turn lane should be constructed for the northbound movement at Driveway #2. This lane should have a minimum full storage length of 300 feet. The existing left turn lane at the intersection of Driveway #1 should be extended to the same length. Because of the insufficient gap time shown in the gap time analysis is recommended that the median break for the U-turn movements have the geometry illustrated in Figure 22 on page 34.

Solid Waste Disposal

How much solid waste is the project expected to generate annually (in tons)? 3400 TN/YR

Is sufficient landfill capacity available to serve this proposed project? ☐ (not selected) • Yes • No

If no, describe any plans to expand existing landfill capacity:

Will any hazardous waste be generated by the development? ☐ (not selected) ☒ Yes ☐ No

If yes, please explain:

Stormwater Management

What percentage of the site is projected to be impervious surface once the proposed development has been constructed? 30%

Describe any measures proposed (such as buffers, detention or retention ponds, pervious parking areas) to mitigate the project's impacts on stormwater management: Both state and local stream buffers will be implemented along the existing stream. The retail/office/commercial areas will implement three large retention ponds for stormwater.

Environmental Quality

Is the development located within, or likely to affect any of the following:

- | | |
|---|--|
| 1. Water supply watersheds? | ☐ (not selected) ☒ Yes ☐ No |
| 2. Significant groundwater recharge areas? | ☐ (not selected) ☐ Yes ☐ No |
| 3. Wetlands? | ☐ (not selected) ☐ Yes ☐ No |
| 4. Protected mountains? | ☐ (not selected) ☐ Yes ☐ No |
| 5. Protected river corridors? | ☐ (not selected) ☐ Yes ☐ No |
| 6. Floodplains? | ☐ (not selected) ☐ Yes ☐ No |
| 7. Historic resources? | ☐ (not selected) ☐ Yes ☐ No |
| 8. Other environmentally sensitive resources? | ☐ (not selected) ☐ Yes ☐ No |

This section notes hydrology considerations on site in 2018 that aren't noted on current documentation.

If you answered yes to any question above, describe how the identified resource(s) may be affected: Water supply watersheds, wetlands, and historic resources may be impacted by any land disturbance activities conducted on the site. Applicant proposes that the Williams Farm/Camp Lucretia will be restored. A relatively small floodplain is located on the southwestern portion of the site.

[Back to Top](#)



Ronald Conners <rbconners@gmail.com>

Avemore Village, Waters of the U.S./State Waters

1 message

lornacamp@aol.com <lornacamp@aol.com>

Fri, Sep 7, 2018 at 5:16 PM

To: rbconners@gmail.com, jboss@georgiaandwest.com

Ron Conners:

I attached the sketch showing the approximate location of waters of the United States and State waters that we found on the Avemore Village project. I thought Jay Davis told me on the phone that there was a pond on the site, that we could drive straight to it and that it was dry this time of year. We did not find a pond. If he can show me the location on the map, I will review that area.

In summary, wetland boundaries (A, B, C, D, E, F and G) are flagged in the field with pink wetland flagging as noted on the sketch. The start of Streams #1, #5, #6 and #7 is flagged in the field with double pink/black striped flagging tape. There is pink/black striped flagging along the stream channels at confluences and in areas where the channel is not clearly defined.

There are several ditches/gullies that carry stormwater only and are not considered waters of the United States/State waters. These are not shown on the sketch. I showed the old swimming pool--it's a relatively large area next to Stream #2. There is a springhouse at E Wetland and a springbox at F Wetland. G Wetland is a spring located up a rocky slope.

Please contact me if you have any questions.

Thanks.

Lorna

Lorna J. Campbell, PWS
Campbell Environmental, Inc.
2328 Sanford Road
Decatur, GA 30033
404 321-4642 office
404 219-7920 cell
lornacamp@aol.com

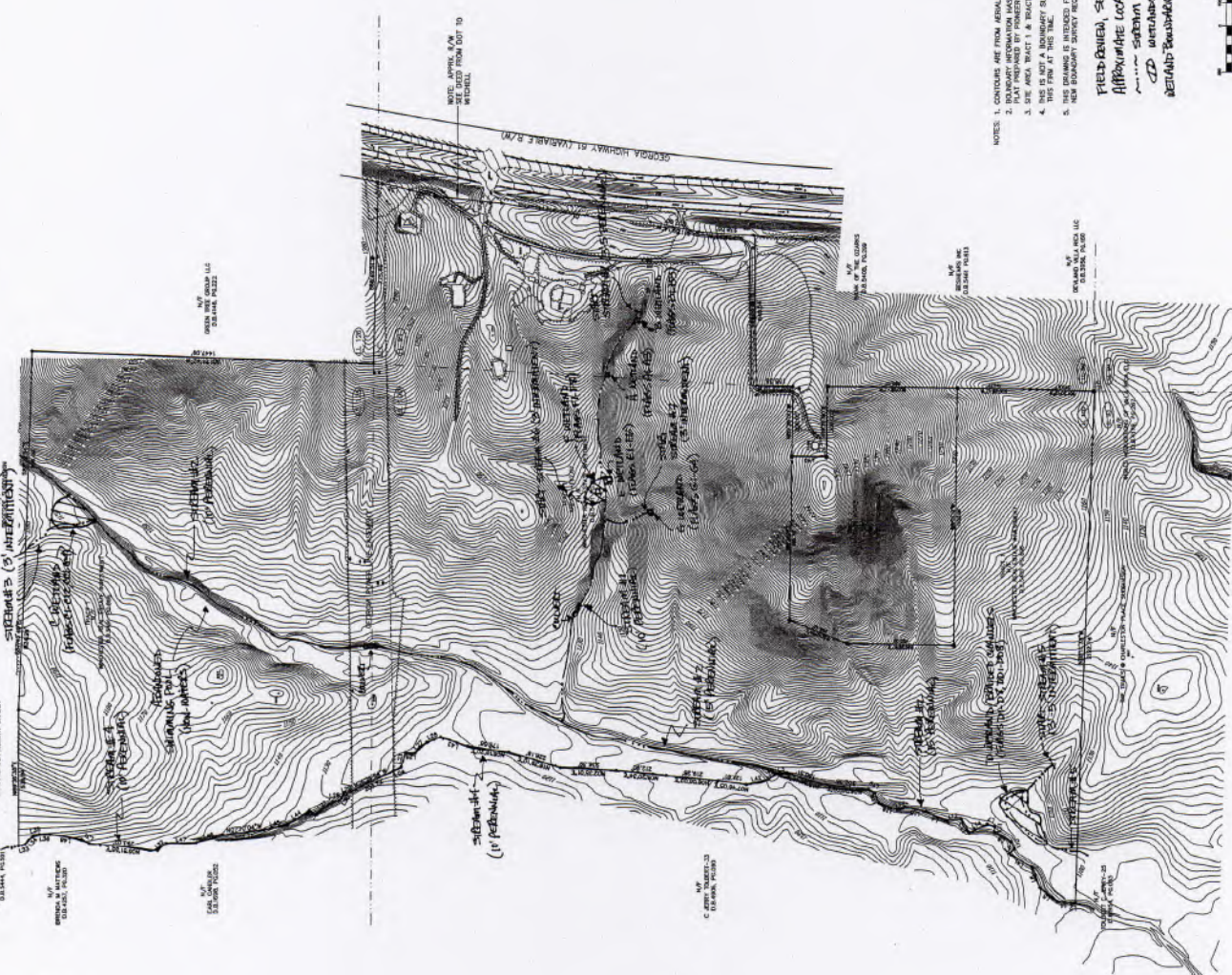


AvemoreApproxWaters9-7-18.PDF
863K

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11/23/2018	10:00	11/23/2018	10:00	11/23/2018	10:00
11/23/2018	10:00	11/23/2018	10:00	11/23/2018	10:00
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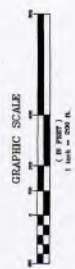
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11/23/2018	10:00	11/23/2018	10:00	11/23/2018	10:00
11/23/2018	10:00	11/23/2018	10:00	11/23/2018	10:00

Completed by: Stereophotogrammetric Methods
 Prepared by: J. L. Smith, Jr., Associates, Inc.
 DATE OF PHOTOGRAPHY: MARCH 22, 1980
 J-45264-99



1. CONTOURS ARE FROM AERIAL PHOTOGRAPHY AND ARE APPROXIMATE.
2. THIS IS NOT A BOUNDARY SURVEY. NO FIELD WORK PERFORMED BY NEW BOUNDARY SURVEY REQUIRED.
3. THE AREA TRACT 1 & TRACT 2 TOTAL 4-21.06 ACRES.
4. THIS IS NOT A BOUNDARY SURVEY. NO FIELD WORK PERFORMED BY NEW BOUNDARY SURVEY REQUIRED.
5. THIS DRAWING IS INTENDED FOR PRELIMINARY PLANNING ONLY.

FIELD REVIEW, SEPTEMBER, 2018
 APPROXIMATE LOCATION BOUNDARIES OF UNITED STATES/STATE BOUNDARIES
 C.D. WATKINS
 DETAIL BOUNDARIES LARGELY BY C.D. WATKINS, INC.



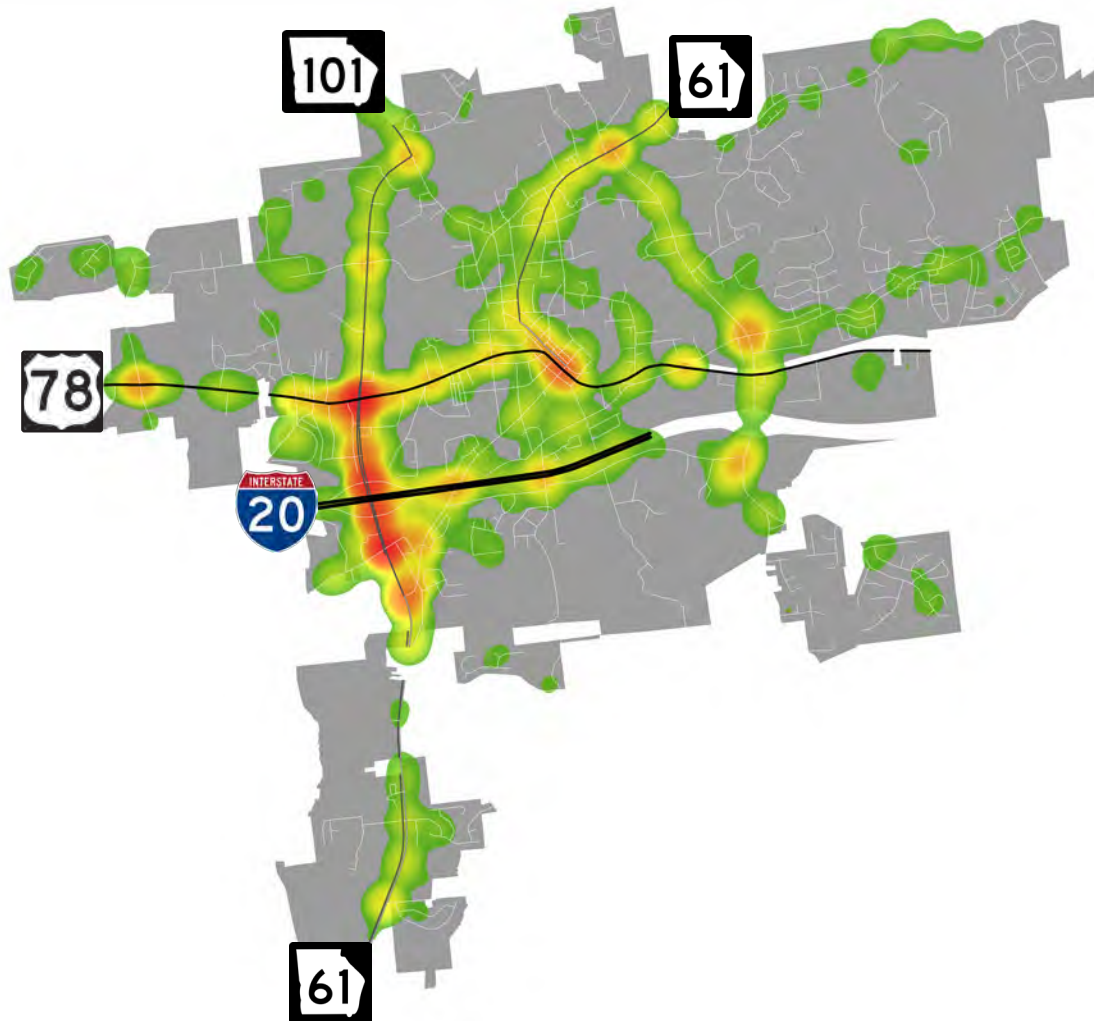
GEORGIA & WEST, INC.
 ENGINEERING • LAND SURVEYING • LAND PLANNING
 100 CONSUMATE DRIVE
 CARROLLTON, GA 30117
 OFFICE (770) 834-8984
 FAX (770) 834-1055
 E-MAIL: info@georgiawest.com

CONTOUR TOPOGRAPHIC MAP FOR
 WINCHESTER REAL ESTATE
 INVESTMENT COMPANY LLC
 LOCATED IN LAND 1075 85, 155 BENTLEY #
 CANTON, OHIO 44705
 DATE: 11-23-2018
 SHEET NO. 1
 SCALE: 1" = 200'



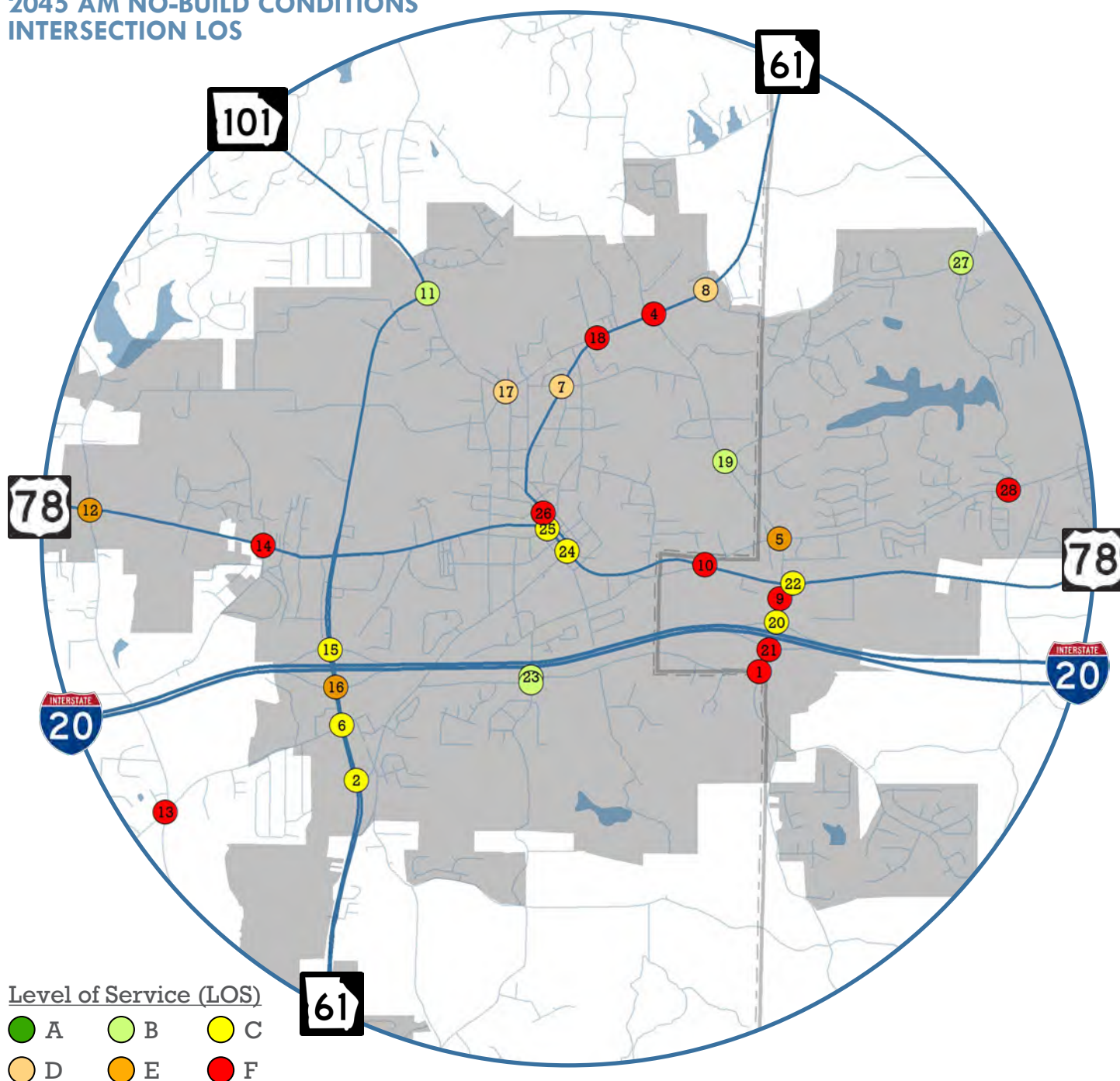
Crash history from the years 2014-2018 was collected through the city and analyzed at each intersection using the Georgia Electronic Accident Reporting System (GEARS) to identify safety issues.

HEATMAP OF VILLA RICA CRASH HISTORY

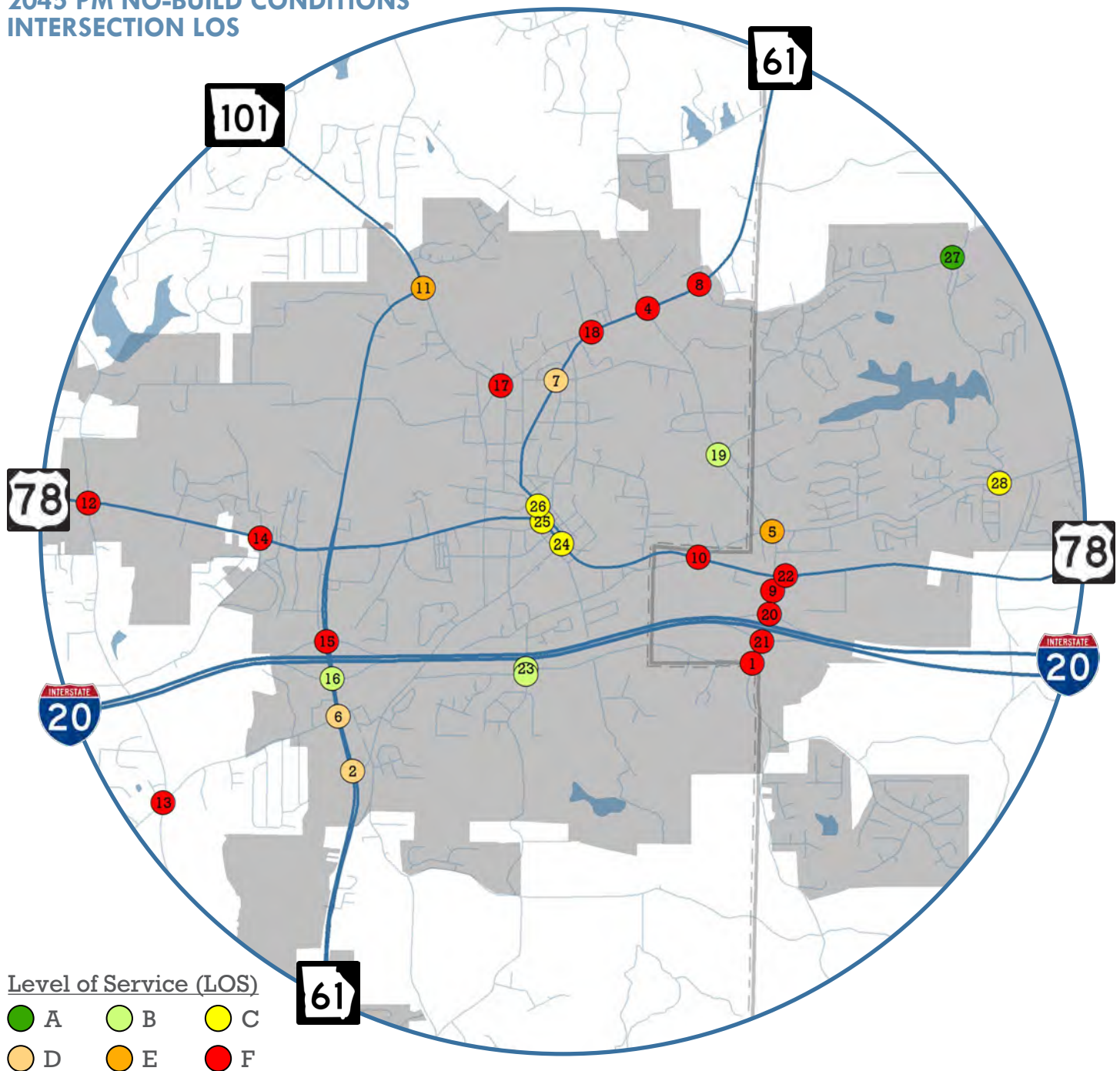


A field review was performed on February 4, 2020 in order to further identify operational and safety concerns. The operation of each intersection was observed in the AM and PM peak hour. The notes from this field review and the crash data are included in Appendix C.

2045 AM NO-BUILD CONDITIONS INTERSECTION LOS



2045 PM NO-BUILD CONDITIONS INTERSECTION LOS



BICYCLE AND PEDESTRIAN PROJECTS

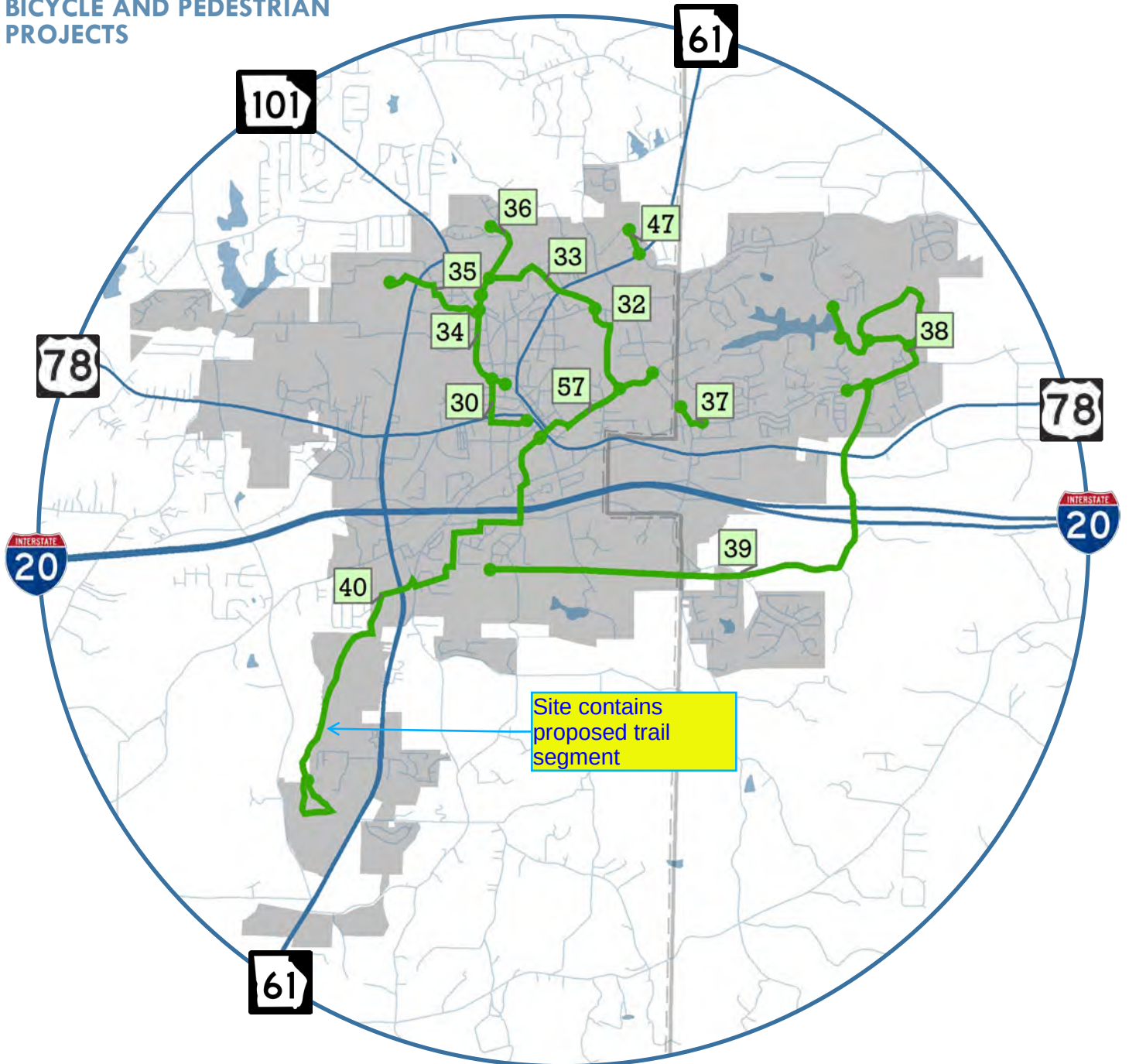
PROJECT DEVELOPMENT

Bicycle and pedestrian projects include trails, sidewalk, and bike lanes. The starting point for the bicycle and pedestrian element of the Transportation Master Plan was the Gold Nugget Trail Master Plan. All projects from that effort were incorporated into the Transportation Master Plan, as well as other projects added based on input from the community and city staff. The bicycle and pedestrian component of the Shoreline Connector New Location roadway was also analyzed and incorporated into project evaluation.

BICYCLE AND PEDESTRIAN PROJECTS

PROJECT ID	PROJECT
30	Downtown Connector Trail
32	Cleghorn to Old Stone Rd Trail
33	Tanner to Fullerville Trail
34	Downtown to Fullerville Trail
35	Gold Dust Park Connector Trail
36	Fullerville to Reid Plantation Trail
37	Mirror Lake Loop Trail
38	Conners Rd Park Trail
39	Tyson Rd Corridor Trail
40	South Connector Trail
47	Seniors Trail
57	Shoreline Connector
59	Downtown Grade Separated Ped RR Crossing

BICYCLE AND PEDESTRIAN PROJECTS



CRASH SUMMARY REPORT

Villa Rica Fatal and Severe Crashes (K&A)
Last 5 Years (2020-2024)

Created on May 1, 2025

Created by Stephanie Wagner

Data extents: December 31, 2014 to December 31, 2024

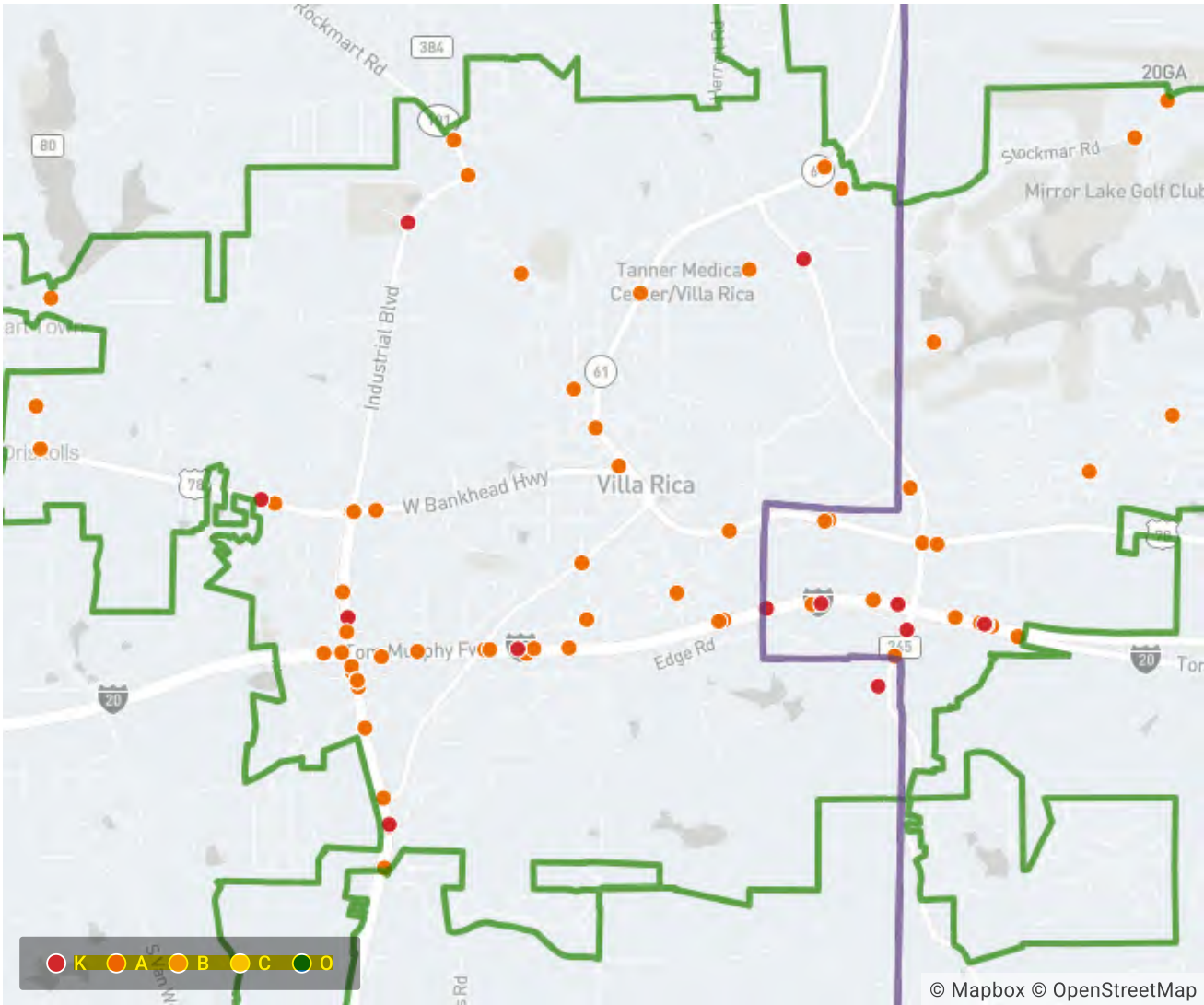


Applied Filters

Area: City = Villa Rica

Crash Year = 2020, 2021, 2022, 2023, 2024

KABCO Severity = (K) Fatal Injury, (A) Suspected Serious Injury



Total Crashes	85	Fatal Crashes	12
---------------	----	---------------	----

GDOT Summary	Collisions Dataset
Intersection Related	64 75.29%

Distracted Driver (Suspected)	31	36.47%
Single Motor Vehicle Involved	23	27.06%
Large Truck Related	11	12.94%
Motorcycle Related	11	12.94%
Pedestrian Related	9	10.59%
Impaired Driving (Confirmed)	5	5.88%
Impaired Driving (Suspected)	1	1.18%
Bicycle Related	0	0.00%
Distracted Driver (Confirmed)		

KABCO Severity	Collisions Dataset	
(A) Suspected Serious Injury	73	85.88%
(K) Fatal Injury	12	14.12%
+ 4 more	0	0%

Date and Time (Year)	Collisions Dataset	
2024	21	24.71%
2023	17	20.00%
2022	17	20.00%
2021	17	20.00%
2020	13	15.29%
+ 7 more	0	0%

Date and Time (Hour of Day)	Collisions Dataset	
12 am - 2 am	9	10.59%
2 am - 4 am	3	3.53%
4 am - 6 am	5	5.88%
6 am - 8 am	6	7.06%
8 am - 10 am	2	2.35%
10 am - 12 pm	7	8.24%
12 pm - 2 pm	8	9.41%
2 pm - 4 pm	5	5.88%
+ 4 more	40	47.06%

Manner of Collision (Crash Level)	Collisions Dataset	
Not a Collision with Motor Vehicle	31	36.47%
Angle Crash	28	32.94%
Head On	11	12.94%
Rear End	11	12.94%

Sideswipe-Same Direction	3	3.53%
Sideswipe-Opposite Direction	1	1.18%
+ 2 more	0	0%

Location at Impact (Crash Level)	Collisions Dataset	
On Roadway - Non-Intersection	36	42.35%
On Roadway - Roadway Intersection	25	29.41%
Off Roadway	15	17.65%
On Shoulder	4	4.71%
Entrance/Exit Ramp	3	3.53%
(None)	2	2.35%
+ 11 more	0	0%

Most Harmful Event (Unit Vehicle)	Collisions Dataset	
Motor Vehicle in Motion	26	30.59%
Pedestrian	5	5.88%
Over Turn	4	4.71%
Parked Motor Vehicle	2	2.35%
Tree	2	2.35%
Bridge Rail	1	1.18%
Other - Fixed Object	1	1.18%
Other Non-Collision	1	1.18%
+ 30 more	1	1.18%

Operator/Pedestrian Contributing Factors - Array	Collisions Dataset	
(None)	22	25.88%
Driver Lost Control	9	10.59%
Other	8	9.41%
Other Unit Contributed to Crash	6	7.06%
Failure to Yield	3	3.53%
Too Fast for Conditions	3	3.53%
Unknown	3	3.53%
Changed Lanes Improperly	2	2.35%
+ 39 more	14	16.49%

Area: County	Collisions Dataset	
Carroll	62	72.94%
Douglas	23	27.06%
+ 157 more	0	0%

Area: GDOT District (Crash Level)	Collisions Dataset	
D6	62	72.94%
D7	23	27.06%
+ 5 more	0	0%
SHSP Emphasis Area	Collisions Dataset	
Intersection Related	64	75.29%
Distracted Driver (Suspected)	31	36.47%
Roadway Departure	24	28.24%
Older Driver Related (55-64)	18	21.18%
Young Adult Driver (Age 20-24)	16	18.82%
Improper Occupant Protection	12	14.12%
Older Driver Related (65+)	12	14.12%
Aggressive/Speed Related	11	12.94%
+ 10 more	52	61.17%
First Harmful Event (Unit Order)	Collisions Dataset	
Motor Vehicle in Motion	57	67.06%
Pedestrian	8	9.41%
Other Non-Collision	5	5.88%
Other/Unknown	5	5.88%
Parked Motor Vehicle	5	5.88%
(None)	3	3.53%
Ditch	2	2.35%
Other - Fixed Object	2	2.35%
+ 32 more	10	11.77%
Vehicle Type (Crash Level)	Collisions Dataset	
Passenger Car	40	47.06%
Sports Utility Vehicle (SUV)	18	21.18%
Pickup Truck	12	14.12%
Motorcycle	10	11.76%
Tractor/Trailer	10	11.76%
	1	1.18%
All Terrain Vehicle	1	1.18%
Moped, Scooter or Minibike	1	1.18%
+ 16 more	4	4.72%
Roadway Contributing Factors	Collisions Dataset	

No Contributing Factors	75	88.24%
Water Standing	5	5.88%
Road Surface Condition (wet, icy, snow, slush, etc.)	3	3.53%
Road Under Construction	2	2.35%
Backup Due to Prior Crash/Secondary Crash	1	1.18%
Traffic Congestion	1	1.18%
+ 8 more	0	0%

Vehicle Contributing Factor (Crash Level)	Collisions Dataset	
No Known Defects	61	71.76%
Other	2	2.35%
Brake Failure	1	1.18%
Improper Lights	1	1.18%
Slick Tires	1	1.18%
Steering Failure	1	1.18%
+ 7 more	0	0%

Countermeasures All	Collisions Dataset	
Countermeasure: Lighting Improvements (Intersection)	17	20.00%
Countermeasure: Roadway and Lane Departure Crashes	13	15.29%
Countermeasure: Lighting Improvements (Non-Intersection)	12	14.12%
Countermeasure: Clear Roadside	3	3.53%
Countermeasure: Intersection Crashes (vehicle)	3	3.53%
Countermeasure: Road Diet	3	3.53%
Countermeasure: Centerline Crash Related (Vehicle)	2	2.35%
Countermeasure: Pedestrian Control (Intersection)	1	1.18%
+ 3 more	1	1.18%

Roadway (From Crash Report)	Collisions Dataset	
I 20	22	25.88%
Sr 61	20	23.53%
Sr 8	6	7.06%
Rockmart Rd	4	4.71%
Connors Rd	3	3.53%
Dallas Hwy	2	2.35%
Industrial Blvd	2	2.35%
Stockmar Rd	2	2.35%
+ 992 more	24	28.32%

CRASH SUMMARY REPORT

DRI #4451 Corridors All Crashes Last 5 Years (2020-2024)

Created on May 1, 2025

Created by Stephanie Wagner

Data extents: December 31, 2014 to December 31, 2024

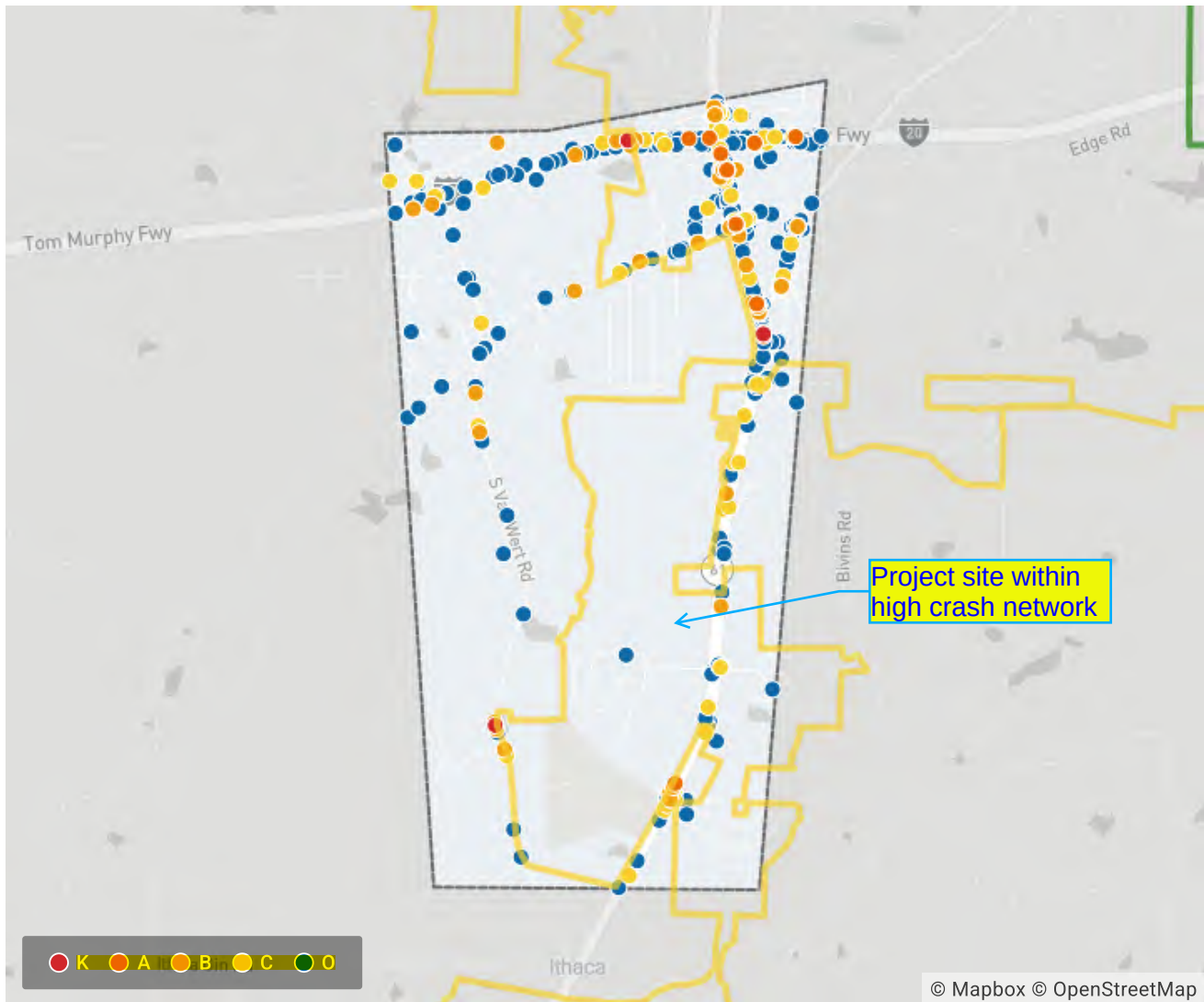


Applied Filters

Area: County = Carroll

Crash Year = 2020, 2021, 2022, 2023, 2024

Shape: Polygon



Total Crashes

1,442

Fatal Crashes

4

GDOT Summary

Collisions Dataset

Intersection Related

1,063

73.72%

Distracted Driver (Suspected)

790

54.79%

Single Motor Vehicle Involved	195	13.52%
Large Truck Related	103	7.14%
Distracted Driver (Confirmed)	68	4.72%
Impaired Driving (Confirmed)	19	1.32%
Motorcycle Related	13	0.90%
Pedestrian Related	5	0.35%
+ 2 more	5	0.35%

KABCO Severity	Collisions Dataset	
(O) No Injury	1,053	73.02%
(C) Possible Injury / Complaint	246	17.06%
(B) Suspected Minor/Visible Injury	98	6.80%
(A) Suspected Serious Injury	23	1.60%
Unknown	18	1.25%
(K) Fatal Injury	4	0.28%

Date and Time (Year)	Collisions Dataset	
2024	303	21.01%
2023	303	21.01%
2022	303	21.01%
2021	288	19.97%
2020	245	16.99%
+ 7 more	0	0%

Date and Time (Hour of Day)	Collisions Dataset	
12 am - 2 am	16	1.11%
2 am - 4 am	15	1.04%
4 am - 6 am	42	2.91%
6 am - 8 am	124	8.60%
8 am - 10 am	123	8.53%
10 am - 12 pm	123	8.53%
12 pm - 2 pm	200	13.87%
2 pm - 4 pm	210	14.56%
+ 4 more	589	40.85%

Manner of Collision (Crash Level)	Collisions Dataset	
Rear End	727	50.42%
Angle Crash	332	23.02%
Not a Collision with Motor Vehicle	180	12.48%

Sideswipe-Same Direction	137	9.50%
Sideswipe-Opposite Direction	30	2.08%
Head On	28	1.94%
(None)	8	0.55%
Angle	0	0.00%

Location at Impact (Crash Level)	Collisions Dataset	
On Roadway - Roadway Intersection	580	40.22%
On Roadway - Non-Intersection	562	38.97%
Entrance/Exit Ramp	114	7.91%
Off Roadway	102	7.07%
(None)	27	1.87%
On Roadway - Driveway Intersection	20	1.39%
On Shoulder	20	1.39%
Median	16	1.11%
+ 9 more	1	0.07%

Most Harmful Event (Unit Vehicle)	Collisions Dataset	
Motor Vehicle in Motion	697	48.34%
Parked Motor Vehicle	32	2.22%
Tree	22	1.53%
Over Turn	16	1.11%
Other - Fixed Object	13	0.90%
Deer	11	0.76%
Cable Barrier	9	0.62%
Other Non-Collision	8	0.55%
+ 30 more	50	3.50%

Operator/Pedestrian Contributing Factors - Array	Collisions Dataset	
(None)	305	21.15%
Following Too Close	97	6.73%
Other Unit Contributed to Crash	95	6.59%
Other	54	3.74%
Unknown	39	2.70%
Failure to Yield	38	2.64%
Driver Lost Control	34	2.36%
Too Fast for Conditions	23	1.60%
+ 39 more	109	7.58%

Area: County	Collisions Dataset	
Carroll	1,442	100.00%
+ 158 more	0	0%

Area: GDOT District (Crash Level)	Collisions Dataset	
D6	1,442	100.00%
+ 6 more	0	0%

SHSP Emphasis Area	Collisions Dataset	
Intersection Related	1,063	73.72%
Distracted Driver (Suspected)	790	54.79%
Young Adult Driver (Age 20-24)	332	23.02%
Older Driver Related (55-64)	316	21.91%
Young Driver (Age 15-19)	223	15.46%
Older Driver Related (65+)	199	13.80%
Roadway Departure	155	10.75%
Hit & Run	103	7.14%
+ 10 more	335	23.24%

First Harmful Event (Unit Order)	Collisions Dataset	
Motor Vehicle in Motion	1,251	86.75%
Parked Motor Vehicle	40	2.77%
Other Non-Collision	24	1.66%
Deer	21	1.46%
Other Object (Not Fixed)	20	1.39%
Tree	19	1.32%
Other/Unknown	15	1.04%
Cable Barrier	12	0.83%
+ 32 more	109	7.56%

Vehicle Type (Crash Level)	Collisions Dataset	
Passenger Car	778	53.95%
Sports Utility Vehicle (SUV)	482	33.43%
Pickup Truck	315	21.84%
Van	94	6.52%
Tractor/Trailer	78	5.41%
Single Unit Truck	20	1.39%
Motorcycle	12	0.83%
Vehicle with Trailer	10	0.69%

+ 16 more	25	1.75%
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Roadway Contributing Factors	Collisions Dataset	
No Contributing Factors	1,349	93.55%
Road Surface Condition (wet, icy, snow, slush, etc.)	37	2.57%
Water Standing	20	1.39%
Traffic Congestion	15	1.04%
Road Under Construction	12	0.83%
Obstruction in Roadway	6	0.42%
Other	4	0.28%
Backup Due to Prior Crash/Secondary Crash	3	0.21%
+ 6 more	6	0.42%

Vehicle Contributing Factor (Crash Level)	Collisions Dataset	
No Known Defects	1,116	77.39%
Tire Failure	14	0.97%
Slick Tires	9	0.62%
Brake Failure	8	0.55%
Other	4	0.28%
Power Train	2	0.14%
Windows / Windshield	2	0.14%
Improper Lights	1	0.07%
+ 5 more	2	0.14%

Countermeasures All	Collisions Dataset	
Countermeasure: Intersection Crashes (vehicle)	238	16.50%
Countermeasure: Lighting Improvements (Intersection)	95	6.59%
Countermeasure: Roadway and Lane Departure Crashes	94	6.52%
Countermeasure: Lighting Improvements (Non-Intersection)	65	4.51%
Countermeasure: Road Diet	54	3.74%
Countermeasure: Wildlife Warning	29	2.01%
Countermeasure: Clear Roadside	24	1.66%
Countermeasure: Centerline Crash Related (Vehicle)	12	0.83%
+ 3 more	5	0.35%

Applicant's Proposal for Rezoning/Annexation Conditions

Staff Recommended Conditions:

1. Water & Sewer Infrastructure Agreement:

- Water utilization, sewer capacity, and conveyance must be agreed upon with the City in the form of a Development Agreement.

Applicant's Response:

- No objections to this condition.

2. PUD Modifications & Compliance with TPOD Standards:

- All residential components within the PUD must be removed, and affected properties must adhere to TPOD development standards and permitted uses.

Applicant's Response:

- No objections to this condition.

3. Buffer Requirements for Residential Zoning Districts:

- A minimum 100-foot buffer yard must separate subject properties from all residential zoning districts.

Applicant's Response:

- No objections to this condition.
- Request to reduce the Planning Commission's recommended buffer from 200 feet to 100 feet due to topographical constraints, which significantly limit the developable area.
- Committed to maintaining a 100-foot vegetative buffer, the details of which will be finalized in coordination with the City during the development plan stage.

Planning and Zoning Commission's Recommended Conditions:

1. Buffer Requirements for Residential Properties:

- A 200-foot buffer is recommended between residential properties or properties containing residences.

Applicant's Response:

- Requesting a reduction from 200 feet to 100 feet due to topographical challenges that significantly impact the buildable area.
- Committed to maintaining a 100-foot landscaped and vegetative buffer, with specific composition to be determined during the development plan stage in coordination with the city.

2. Buffer Requirements for Ground Equipment:

- A 300-foot buffer is recommended between ground equipment (including generators, noise-emitting devices, and cooling systems), unless screened by the data center buildings.

Applicant's Response:

- Committed to a 200-foot building setback for data center structures.
- Anticipates that some infrastructure and paving, including security and administrative buildings, may need to be located within 200 feet of the property line, but data center buildings will maintain the 200-foot setback.
- If equipment cannot be screened by a building, the applicant commits to providing vegetative or structural screening to ensure equipment is not visible from neighboring properties.

3. Flood Elevation Standards:

- All structures must be built at least two feet above the base flood elevation for the property.

Applicant's Response:

- The applicant acknowledged the condition and will work with the City and relevant authorities during the permitting process.

4. Traffic Impact Study:

- A traffic study must be conducted by the applicant.

Applicant's Response:

- No objections to this condition.



CITY OF VILLA RICA
FINANCIAL UPDATE
March 2025

CASH				SELF-FUNDED INSURANCE			
	03-31-2024	03-31-2025	+Incr / -Decr			BANK BALANCE	\$1,787,299
Total Cash	\$ 51,486,098	\$ 47,763,076	-7%				
General Fund	\$ 13,087,409	\$ 15,940,226	22%				
Water/Sewer Fund	\$ 4,877,074	\$ 4,937,742	1%				
Sanitation/Solid Waste	\$ 270,407	\$ 469,177	74%				
Stormwater	\$ -	\$ 556,386					
Eastside TAD Bond Proceeds	\$ 14,044,770	\$ 8,944,459	-36%				
Eastside TAD Capitalized Int	\$ 1,444,659	\$ 556,487	-61%				
Eastside TAD Debt Service	\$ 35,619	\$ 477,659	1241%				
2015 Carroll SPLOST	\$ 226,964	\$ 37,291	-84%				
2016 Douglas SPLOST	\$ 3,538,091	\$ 2,455,246	-31%				
2021 Carroll SPLOST	\$ 7,425,719	\$ 6,490,189	-13%				
2022 Douglas SPLOST	\$ 1,864,619	\$ 4,034,060	116%				
PROPERTY TAXES - YEAR TO DATE				GROWTH			
	Budget	March 2025			March 2024	March 2025	
Real & Personal - Carroll	\$ 3,572,657	\$ 3,458,948	97%	<i>Residential</i>	# YTD Amount	# YTD Amount	
Real & Personal - Douglas	2,390,212	2,334,937	98%	Building Permits	138 \$ 284,238	198 \$ 442,400	
	<u>\$ 5,962,869</u>	<u>\$ 5,793,885</u>	<u>97%</u>	Water Taps	86 \$ 130,300	165 \$ 247,500	
				Sewer Taps	77 \$ 308,000	165 \$ 660,000	
BUSINESS ACTIVITY - YEAR TO DATE				OTHER HIGHLIGHTS			
	March 2024	March 2025			March 2024	March 2025	
WATER/SEWER					One Month	One Month	
Water Revenue	\$ 1,835,593	\$ 2,252,602		Carroll Co Sales Tax	\$ 203,400	\$ 205,675	
Sewer Revenue	2,269,396	2,538,416		Douglas Co Sales Tax	\$ 197,698	\$ 178,234	
Water & Sewer Taps	833,400	1,329,655					
Misc. Revenue	973,513	224,010					
Transfers In*	56,295	-					
Total Revenue	<u>\$ 5,968,197</u>	<u>\$ 6,344,684</u>					
Utility Administrator	\$ 155,939	\$ 187,123					
Sewer Expenses	919,243	1,000,852					
Water Expenses	773,707	1,011,439					
Dist./Coll. Expenses	598,692	576,194					
Interest/Fiscal Agent Expense	5,514	33,322					
Depreciation	866,568	1,080,750					
Transfers Out - Debt Service	1,993,429	2,072,386					
Transfers Out - General Fund	755,268	812,090					
Total Expenses	<u>\$ 6,068,360</u>	<u>\$ 6,774,156</u>					
Net Income (Loss)	<u>\$ (100,163)</u>	<u>\$ (429,472)</u>					
				SANITATION/ SOLID WASTE			
					March 2024	March 2025	
				Sanitation Revenue	\$ 621,499	\$ 666,635	
				Solid Waste Revenue	233,606	238,266	
				Transfer In/Misc.	11,714	10,707	
				Total Revenue	<u>\$ 866,819</u>	<u>\$ 915,609</u>	
				Sanitation Expenses	\$ 545,278	\$ 600,676	
				Solid Waste Expenses	212,132	174,280	
				Depreciation	34,998	45,000	
				Transfers Out - General Fund	29,616	31,664	
				Total Expenses	<u>\$ 822,023</u>	<u>\$ 851,619</u>	
				Net Income (Loss)	<u>\$ 44,796</u>	<u>\$ 63,990</u>	