

CITY COUNCIL
LESLIE MCPHERSON, MAYOR
ANNA MCCOY, MAYOR PRO TEM
SHIRLEY MARCHMAN
MATTHEW MOMTAHAN
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
July 8, 2025 | 6:00 PM

Meeting Call to Order (Mayor Leslie McPherson)

Invocation (Angel Arzuaga, Athletic Manager)

Pledge of Allegiance (Ofc. Jason Miller, VRPD)

Ceremonial Presentations (Mayor & Council)

- 25 Years of Service Recognition - Jason Miller (Police Officer)
- 5 Years of Service Recognition - Alexis Perry (CID Evidence Technician)

Adoption of the Agenda (Mayor Leslie McPherson)

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. FY25 Budget Amendments #151-165 (Amanda Long, Interim Finance Director)

A. Governing Body (Mayor Leslie McPherson)

1. Approval of Amendment to May 13, 2025 Meeting Minutes
2. Approval of June Work Session and Council Meeting Minutes
3. Resolution of Supporting Americus Brief in Chang v Milton Appeal (Kevin Drummond, City Attorney)
4. Discussion Only: Charter Revisions

B. Community Development

1. VA-02-25 – Stepfon Brown and Pro Building, on behalf of Peach State Trucking, are requesting multiple variances, deviating from the following sections: *Section(s) 9.29 - Wall Signs, 9.37 - Billboard Signs, and 9.30 - Wayfinding Signs*. The project is located at 450 Edge Road, within Ward 5, and zoned Commercial Medium Density (C2). **This is a Public Hearing.** (Brecca Carter, Interim Community Development Director)

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.

2. VA-03-25 – Skyler Evans is requesting three (3) variances, deviating from the following section: Section 7.05 Landscaping Standards. The project is located at 615 Industrial Blvd., within Ward 2, and zoned Commercial Medium Density (C2). **This is a Public Hearing.** (Brecca Carter , Interim Community Development Director)

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

1. Financial Update: May 2025 (Amanda Long, Interim Finance Director)

City Manager's Report (Interim City Manager, Jennifer Hallman)

- July Monthly Report

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).

Adjournment (Mayor Leslie McPherson)

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.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2025 Budget Amendments #151 - #165

AGENDA DATE: 07-08-2025

DATE PREPARED: 06-20-2025

PREPARED BY: Amanda Long, Interim Finance Director

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.

PMGM Site Improvements - Train Depot Bridge & Viewing Platform					Total Project Cost: \$45,812
Source of Funds: Carroll SPLOST & General Fund Capital - Transfer of Funds from other capital projects					
Item	Account Name	Account Type		Amount	
151 322-6172-541200	PMGM Site Improvements - Undesignated	Expense	Decrease	(27,812)	
152 322-6172-541200	PMGM Site Improvements - Train Depot Bridge & Viewing Platform	Expense	Increase	27,812	
153 350-6172-541300	Remove - HVAC Unit replacement	Expense	Decrease	(8,000)	
154 350-6172-541400	Remove - Replace the water wheel as a water feature for pond	Expense	Decrease	(10,000)	
155 350-6172-541400	PMGM Site Improvements - Train Depot Bridge & Viewing Platform	Expense	Increase	18,000	
Gold Dust - Replace flooring in Fitness Room					Total Project Cost: \$18,000 (\$15,000 from Capital transfer + \$3,000 from Operating)
Source of Funds: General Fund Capital - Transfer of Funds from Capital to Operating -Maint. & Repair					
Item	Account Name	Account Type		Amount	
156 350-6110-541320	Replace flooring in Fitness Room at Gold Dust	Expense	Decrease	(15,000)	
157 350-391100	Capital Project - Transfers In	Expense	Decrease	(15,000)	
158 100-9000-611021	Transfer to GF Capital Project	Expense	Decrease	(15,000)	
159 100-6110-522210	P&R Admin - Maint & Repair Buildings	Expense	Increase	15,000	
Parks & Recreation Replace Wood Picnic Tables with Accessible Tables					Total Project Cost: \$8,090
Source of Funds: General Fund Capital - Transfer of Funds from Capital to Operating -Maint. & Repair					
Item	Account Name	Account Type		Amount	
160 350-6110-541200	Replace Wood Picnic Tables with Accessible Tables	Expense	Decrease	(8,090)	
161 350-391100	Capital Project - Transfers In	Expense	Decrease	(8,090)	
162 100-9000-611021	Transfer to GF Capital Project	Expense	Decrease	(8,090)	
163 100-6110-522240	P&R Admin - Maint & Repair Grounds	Expense	Increase	8,090	
State Seizures - PD Tactical Shields					Total: \$4,600
Source of Funds: State Seizure Funds - Fund Balance					
Item	Account Name	Account Type		Amount	
164 212-381000	State Seizure - Use of Fund Balance	Revenue	Increase	4,600	
165 212-3210-531600	Small Equipment	Expense	Increase	4,600	

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 of the various funds of the City; and

WHEREAS, the Mayor and Council have determined it appropriate to amend the budget for the reasons set forth herein; 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. 151-165, 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, each and 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 8th day of July, 2025.

Approved:

Leslie McPherson, Mayor

Attest:

Theresa Campbell, City Clerk

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

City of Villa Rica

INTERIM CITY MGR: JENNIFER HALLMAN
CITY CLERK: THERESA CAMPBELL
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CITY COUNCIL MEETING MINUTES

Holt-Bishop Justice Center, 101 Main Street
Tuesday, May 13, 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, Councilman Matthew Momtahan, Councilwoman Stephanie Warmoth, and Councilman Danny Carter

Invocation was led by Capt. Blake Terry, Villa Rica Police Department

Pledge of Allegiance was led by Ofc. Deborah Williams, Villa Rica Police Department

Ceremonial Presentations (Mayor and Council)

Proclamation National Police Week
GAWP (Georgia Association of Water Professionals) Award
Years of Service Recognition-25 years Tara Ivey

Adoption of the Agenda (Mayor Leslie McPherson)

Councilman Danny Carter moved to adopt the agenda as presented.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Matthew Momtahan, Councilman
AYES:	Momtahan, Marchman, 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. Dr. Bernice Brooks- Mentioned homelessness in Villa Rica and thinks the old fire station would be a good

location to house those individuals.

2. Jennifer Ingam- wants bordering county residents to be considered in the decisions the city makes.
3. Molly Elder-Mentioned traffic on Cleghorn St is horrendous. Wants Council to give a response on what is being done to address this issue.
4. Pam Whyte-read from a prepared statement and believes unchecked power can become dangerous. She wants to know who speaks for the citizens, and believes oversight is essential.
5. Brian Hartley wants the council not to rush into decisions and to make informed decisions. He mentioned his parents are affected with the rezoning and no one has approached them.
6. Doug Lang-mentioned traffic on Cleghorn St. and how Hwy. 78 is backing up as well. He also mentioned there is no designated bus stop for the children on Cleghorn St.
7. Aleta Farmer- mentioned increase construction and noise around her father's home on Anderson St. She has noticed animals such as beaver and fox being from out of the woods. She mentioned residents on Myrtle St. have been approached and she does not believe this is about the Parkway.
8. Demetia Pritchett- She requested an update on the road and wants to know how the money is being spent that Norfolk Southern gave the city in the form of a grant.
9. Josh Evans- Believes the city has problems with stormwater, ordinances, codes, drinking water, sidewalks and streets. The city has produced the worst environmental impacts he has ever seen and wildlife and wetlands are being damaged.

Council Updates (Subjects of General Interest and Concern)

Councilwoman Anna McCoy addressed several public comment statements. She also mentioned the Council votes from their heart for the benefit of the whole city, not just a few citizens.

Councilwoman Shirley Marchman is not clear where the city stands on the new road, but believes the citizens deserve an update.

Mayor Leslie McPherson mentioned the GICH Housing Festival that is to take place on May 17, 2025. She also mentioned that the city allows non-residents to speak, but also likes to know what ward city residents live in.

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
2. City Clerk as Municipal Election Superintendent
3. GMA'S District 4 Officers for 2025-2026

4. Development Regulations update to require utility availability statements
5. 457(b) Retirement Plan Changes
6. Facility Rental Fee Increase
7. Library Advisory Board Constitution
8. FY25 Budget Amendments

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

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

A. Governing Body (Mayor Leslie McPherson)

1. Approval of March 25, 2025 Work Session Minutes, March 27, 2025 Special Called Meeting Minutes, April 1, 2025 Meeting Minutes and April 28, 2025 Special Called Meeting Minutes

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

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

B. Community Development

1. ABL-05-25 San Andres Villa Rica LLC and Public Hearing

Public Hearing: No one came forward

Councilman Danny Carter moved to approve the alcohol license application for San Andres Villa Rica, LLC located at 103 Villa Rica Pkwy. Ste. 200, Villa Rica, GA 30180.

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

2. ABL-06-25 Quik Trip Corporation and Public Hearing

Larry Cohrs – spoke in favor, mentioned that Roscoe LLC is the holder of the state permit and thinks that is a violation and wants it clarified.

Pam Whyte- spoke in favor, she wants constituents to have access to their ward representative.

Councilman Danny Carter moved to approve the alcohol license application for Quik Trip LLC located at 650 Hwy 61 Villa Rica, GA 30180

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

3. (RA-01-25). (ANX-01-25), (ANX-02-25)- Rezoning and annexation for Hwy 61 and South Van Wert-Avmore PUD and Public Hearing

Attorney Brandon Bowen spoke on behalf of the applicant

Public Hearing:

Attorney Jefferson Allen -spoke against the item on behalf of 11 county residents. He mentioned several reasons he believes this item should not be taking place.

Brad Hartley- mentioned he has been in his home for 50 years and does not want to see an industrial building.

Paul Cutler - mentioned he spoke to 50 people, and no one wants it. He believes the water system will be overloaded.

Scott Cowart- Board of Education Superintendent spoke in favor, it will be less traffic, less students for the schools and revenue for the city.

Alan Martinez- is a city business owner and spoke in favor. He is in favor of growth that does not strain other systems and brings commercial revenue.

Attorney Brandon Bowen (Applicant) spoke in favor during rebuttal.

Councilman Matthew Momtahan moved to approve the annexation application for parcel 1680090 into the City of Villa Rica.

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

Councilman Matthew Momtahan moved to approve the annexation application for the requested portions of parcel 1690120 into the City of Villa Rica.

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

Councilman Matthew Momtahan moved approve the rezoning parcels 1680090, V07014003, V070140004, V070140151 and that portion of parcel 1690120 annexed into the City of Villa Rica to PUD with technology park overlay and subject to the following conditions:

1. Water Utilization, Sewer Capacity and Conveyance must be approved by the City and 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 the technology overlay district.
3. A minimum of 100-foot buffer yard shall separate subject properties from all residential zoning.
4. A 200-foot setback for Data Center buildings
5. Generators and noise-emitting devices and cooling systems will be screened.
6. Structures will be built at least two feet above the base flood elevation of the property.
7. A traffic study conducted by the applicant.

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

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

i. Financial Update: March 2025

Interim City Manager Jennifer Hallman presented financial update for March 2025

D. 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 8:31 PM.

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

Councilwoman Danny Carter moved to enter back into Regular Session at 9:50 PM.

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

Councilman Danny Carter moved to approve a \$1500 per week raise for Jennifer Hallman while she serves as Interim City Manager effective May 1, 2025

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

Councilman Danny Carter moved to approve John Bain as Interim Deputy City Manager effective May 1, 2025 with a pay increase of \$1000 per week while he serves in that roll.

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

Councilman Danny Carter moved to approve Amanda Long Interim Finance Director with a pay increase of \$500 per week effective May 1, 2025 while she serves in that roll.

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

Councilman Danny Carter moved to approve the purchase of Parcel V050150024 for \$390,000 plus \$4200 for relocation.

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

Councilman Danny Carter moved to approve the purchase of Parcel V050150049 for \$15,000.

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

Councilman Danny Carter moved to approve the purchase of Parcel V050150081 for \$26,000.

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

Councilman Danny Carter moved to approve the purchase of easement V050170002 for \$6490.

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

Councilman Danny Carter moved to approve the purchase of Parcel V050150075 for \$35,000.

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

Adjournment (Mayor Leslie McPherson)

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

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

Mayor Leslie McPherson

City Clerk Theresa Campbell



MAYOR & COUNCIL WORK SESSION MINUTES

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

June 3, 2025 | 10:00 AM

Meeting Call to Order (Mayor Pro Tem Anna McCoy)

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

A. Governing Body

Proclamation: July is Parks & Recreation Month

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. July is Parks and Recreation Month
2. Planning & Zoning Appointment for Ward 2
3. Jameson Towns Phase 2 Final Plat Approval
4. Temporary limited alcohol pouring license for ETA Omega Foundation Inc.
5. 2025-2026 Workers' Compensation Renewal
6. Adoption of GDOT Title VI Non-Discrimination Agreement
7. Resolution declaring municipal property as surplus and authorizing the disposition and sale of the property located at Russell St. (V/Lot 6 Russell St. VR27-V050180066

B. Executive Session

Councilman Danny Carter moved to enter into Executive Session for the purpose of meeting to discuss tor 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 11:27 am.

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

Councilwoman Shirley Marchman moved to enter into regular session at 12:29 pm.

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

No action taken

Mayor Pro Tem, Anna McCoy

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

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CITY COUNCIL MEETING MINUTES

Holt-Bishop Justice Center, 101 Main Street
Tuesday, June 10, 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 (by phone) Councilman Matthew Momtahan, Councilwoman Stephanie Warmoth, and Councilman Danny Carter

Invocation was led by Ethan Waits, Grounds Maintenance Manager

Pledge of Allegiance was led by Ofc. Paul Lewis, Villa Rica Police Department

Ceremonial Presentations (Mayor and Council)

Dedication of Police Department Annual Report

Adoption of the Agenda (Mayor Leslie McPherson)

Councilman Danny Carter moved to adopt the agenda as presented.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Stephanie Warmoth, Councilwoman
AYES:	Momtahan, Marchman, 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. Pam Whyte- Mentioned the appointment of potential interim city manager, and how the Mayor did not consult the Council. She wants the appointment tabled or vetoed until Council can be brought up to speed.

2. Brad Hartley- spoke briefly about the annexation council approved last month and felt there was not a lot of transparency.
3. Doug Lang- mentioned he would like a new city manager, not someone that has worked here in the past.
4. Aleta Farmer-mentioned lack of transparency and questioned who represents the people of Villa Rica. She believes the Council is representing the developers and not the citizens.
5. Josh Evans- mentioned the clean water act and believes staff are not doing their jobs.

Council Updates (Subjects of General Interest and Concern)

Mayor Leslie McPherson made a statement based on some of the Public Comments, she explained that she follows the City Charter and spoke with the City Attorney to make sure she is always within the guidelines.

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. July is Parks & Recreation Month
2. Planning and Zoning Reappointment of Julie Cepin for Ward 2
3. Approval of Jameson Towns Phase 2 Final Plat
4. Approval of a Temporary Limited Alcohol Pouring License for ETA Omega Foundation Inc.
5. Approval of Renewal 2025-2026 Workers' Compensation with BITCO
6. Adoption of GDOT Title VI Non- Discrimination Agreement
7. Approval of Resolution declaring municipal property as surplus and authorizing the disposition and sale of property located at Russell Street (V/Lot 6 Russell St. VR27-V050180066)

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

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

A. Governing Body (Mayor Leslie McPherson)

1. Housing Authority Appointment of Barbara Daniell

Councilman Danny Carter moved to appoint Barbara Daniell to Housing Authority

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

2. Appointment of Vivienne Lyons to Planning and Zoning Commission, Ward 1

Councilwoman Shirley Marchman moved to appoint Vivienne Lyons to Planning and Zoning Commission.

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

3. Approval of May 6, 2025 Council Work Session Minutes

Councilman Danny Carter moved to approve May 6, 2025 Work Session Minutes

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

4. Approval of May 13, 2025 Council Meeting Minutes

Councilman Danny Carter moved to approve May 13, 2025 Council Meeting Minutes

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

5. Consideration of Board of Ethics Recommendation after Hearing

Councilman Danny Carter moved to accept and approve the report from the Ethics Board

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

B. Community Development

1. TA-04-25 Text Amendment to modify the Smoke Shops, Tobacco stores, and Medical Cannabis Dispensaries and Definition of Vape Shop and Public Hearing

Public Hearing: No one came forward in support

Public Hearing: Against

Josh Evans- disagrees due to the potential of selling to minors

Andrew Newton- mentioned discussion from work session, would like reports enhanced and a member of Council to attend Planning Zoning Meetings.

Doug Lang- wants to limit the amount of shops allowed

Lisa Conner- most sales come from gas stations not vape shops

Councilman Matthew Momtahan moved to approve the proposed modifications to section 8.22 of the zoning ordinance which addresses regulations for smoke shops, tobacco stores, and medical cannabis dispensaries, along with the addition of definitions for Vape, Vaping Products, and Vape Shops and setting the sales threshold at 25% of a business's aggregate retail sales for classification as a smoke or vape shop.

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

C. Utilities (John Bain, Director)

1. Development Regulations Update

Councilman Danny Carter moved to the amendments to Appendix A – Developmental Regulations of the Code of Ordinances of the City of Villa Rica Georgia, Section IA, Section 200 (a) Exemptions.

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

D. Finance (Jennifer Hallman CFO/Interim City Manager)

1. GFL Sanitation Rate Increase

Councilman Danny Carter moved to approve the updated customer sanitation rates due to GFL's 4.9% rate increase based on the Consumer Price Index for All Urban Consumers (CPI-U) effective August 1, 2025.

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

E. 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 7:28 PM.

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

Councilwoman Danny Carter moved to enter back into Regular Session at 9:15 PM.

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

Mayor Leslie McPherson appointed Larry Wood as Interim City Manager

Councilwoman Anna McCoy moved to override the appointment, and it was seconded by Councilwoman Stephanie Warmoth. After further discussion Councilwoman Anna McCoy called for the vote, the vote was passed.

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

Adjournment (Mayor Leslie McPherson)

Councilwoman Anna McCoy moved to adjourn the meeting and was seconded by Councilwoman Stephanie Warmoth and the vote was unanimous. Mayor Leslie McPherson adjourned the meeting.

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

Mayor Leslie McPherson

City Clerk Theresa Campbell



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT:	Resolution Authorizing Participation in Amicus Brief in Chang v. City of Milton appeal.
AGENDA DATE:	July 8, 2025
DATE PREPARED:	July 1, 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: The City of Milton has asked Villa Rica, and other cities, to participate in an amicus brief before the Georgia Supreme Court in the case of Chang v. City of Milton.

The case involves a fatal collision where a vehicle left the roadway and struck a planter that was within a City-owned right of way. In the underlying case, damages were awarded against the City of Milton in the amount of \$35,000,000.

The Georgia Supreme Court will address 3 questions:

1. Is the design and placement of objects on the shoulder of a roadway a ministerial duty of the City to keep its streets and sidewalks reasonably safe or is it a government function?
2. Is the placement of a planter on the shoulder of a roadway a “defect in the public roads of the municipality’s municipal street system”?
3. What must a plaintiff show for municipal immunity to be waived under the circumstances of this case.

STAFF RECOMMENDATION: The decision in this case could have a major impact regarding a City’s liability for objects within its public rights-of-way. This case will have a statewide impact. If the case is upheld, cities may be forced to remove or relocate countless objects from public rights-of way, including monuments, benches, traffic control boxes, planter, etc.

IMPACT: n/a

MOTION: I move to approve the Resolution authorizing Villa Rica’s participation in an amicus brief in the Chang v. City of Milton appeal.

**RESOLUTION OF THE CITY OF VILLA RICA, GEORGIA (the “CITY”) AUTHORIZING
PARTICIPATION IN AN AMICUS BRIEF IN THE CHANG V. CITY OF MILTON APPEAL
PENDING BEFORE THE GEORGIA SUPREME COURT**

WHEREAS, the Chang v. Milton litigation involves a claim of liability against the City of Milton, Georgia, for personal injuries due to a 2016 vehicle collision with a fixed obstruction (a masonry planter) located on City-owned right of way where the obstruction was outside the motoring lanes of travel;

WHEREAS, the masonry planter had been at the same location since 1992 and had never been the subject of a complaint or prior accident;

WHEREAS, at the trial court, the City of Milton was found to be partially at fault and a jury awarded money damages against the City of Milton of \$35,000,000;

WHEREAS, on September 16, 2024, the Court of Appeals affirmed the findings of the trial court, City of Milton v. Chang, et. al., 373 Ga. App. 667 (2024) (Court of Appeals ruling);

WHEREAS, on June 24, 2025, the Supreme Court of Georgia granted certiorari, Supreme Court docket number S25G0476;

WHEREAS, the Georgia Supreme Court identified three issues upon which it wanted the Parties to focus in their appellate briefing:

1. Is the design and placement of objects on a shoulder of a roadway part of the ministerial duty of a municipality to keep its “streets and sidewalks in a reasonably safe condition” or is it a governmental function? Compare Mayor, Etc., of Dalton v. Wilson, 118 Ga. 100 (44 SE 830) (1903) with Town of Fort Oglethorpe v. Phillips, 224 Ga. 834 (165 SE2d 141) (1968). See generally OCGA § 36-33-1.
2. Is the placement of a planter on the shoulder of a roadway a “defect[] in the public roads of [the municipality’s] municipal street system”? See OCGA § 32-4-93 (a).
3. For municipal immunity to be waived under the circumstances of this case, must the plaintiff show that the municipality violated its ministerial duty to keep its “streets and sidewalks in a reasonably safe condition” and that the planter on the shoulder of the roadway is a “defect[] in the public roads of [the municipality’s] municipal street system”? Please address the interplay between OCGA § 36-33-1 and OCGA § 32-4-93 (a).

WHEREAS, the CITY believes that answers to the above legal questions are of significant value to its citizens and residents;

WHEREAS, the CITY believes that Supreme Court guidance on such questions may lead to the Court of Appeals ruling being overturned

WHEREAS, the CITY believes the Court of Appeals ruling is inconsistent with existing legal precedent; and,

WHEREAS, the CITY believes that it is in the best interests of the health, welfare, and safety of its citizens that the Court of Appeals ruling be reversed and that the questions presented by the Supreme Court be answered in a way that benefits Georgia's cities.

NOW THEREFORE BE IT RESOLVED, that the CITY does hereby authorize participation in an amicus brief before the Georgia Supreme Court asking that the Court of Appeals ruling be reversed and that the Supreme Court's three proffered questions be answered in a way that is legally advantageous to Georgia's cities. An amicus brief so tendered may include the City's name as a participating party.

This _____, day of _____, 2025.

Mayor, Leslie McPherson

Attest

Theresa Campbell, City Clerk

[SEAL]

**SECOND DIVISION
MILLER, P. J.,
MARKLE and LAND, JJ.**

NOTICE: Motions for reconsideration must be
physically received in our clerk's office within ten
days of the date of decision to be deemed timely filed.
<https://www.gaappeals.us/rules>

September 16, 2024

In the Court of Appeals of Georgia

A24A0802, A24A0803. CITY OF MILTON v. CHANG et al.; and
vice versa.

MARKLE, Judge.

In November 2016, Joshua Chang was killed in a single-car accident on Batesville Road in the City of Milton (“the City”) when his car struck a concrete planter that was located on the shoulder. His parents sued the City for negligence and nuisance, and a jury found the City liable, awarding over \$30 million in damages.¹ In Case No. A24A0802, the City appeals from the denial of its motions for judgment notwithstanding the verdict (“JNOV”) and for new trial on the grounds that (1) it was entitled to sovereign immunity, and (2) the trial court erred by admitting testimony

¹ Chang’s parents also sued two other entities that owned and operated the property adjacent to the planter, but they settled their claims with those defendants early in the litigation.

regarding interpretations of the applicable City ordinances. In Case No. A24A0803, the Changs cross-appeal from the trial court's failure to (1) apply pre-judgment interest to the jury's award, and (2) enter judgment nunc pro tunc to the date of the jury's verdict. For the reasons that follow, we affirm in Case No. A24A0802 and we vacate and remand with direction in Case No. A24A0803.

[O]n appeal from the denial of a motion for a directed verdict or a motion for [JNOV], we construe the evidence in the light most favorable to the party opposing the motion, and the standard of review is whether there is any evidence to support the jury's verdict. And because the jurors are the sole and exclusive judges of the weight and credit given the evidence, we must construe the evidence with every inference and presumption in favor of upholding the verdict, and after judgment, the evidence must be construed to uphold the verdict even where the evidence is in conflict. Even so, we review questions of law de novo.

(Citations, punctuation, and emphasis omitted.) *Bristol Consulting Group v. D2 Property Group*, 366 Ga. App. 843, 849 (2) (884 SE2d 546) (2023).

So viewed, the record shows that, one evening in November 2016, college student Joshua Chang was driving back to his parents' house when his car left the paved portion of the roadway, slid more than 60 feet, and collided with a large

concrete planter on the shoulder of Batesville Road in the City. The impact caused the car to flip and land on top of the planter, killing Joshua. There was no evidence that Joshua was speeding or intoxicated at the time of the accident; nor was there evidence he was using his cell phone while driving. Instead, based on the physical evidence at the scene, an accident reconstructionist opined that it appeared that Joshua had pulled the steering wheel hard right, as if trying to avoid something in the road, causing the car to yaw sideways onto the shoulder before striking the planter.²

The planter sat on a part of the shoulder between two driveways that provided ingress and egress for an adjacent event facility. It is undisputed that the planter was located about six feet off the roadway, but within the right-of-way, as defined by City Ordinance § 48-653.

Chang's parents sued the City, alleging it was negligent and in breach of its ministerial duty to ensure the roadways were safe, and that the planter created a nuisance.³ Prior to trial,⁴ the City filed a motion in limine to exclude testimony from

² A yaw is a sideways sliding movement, whereas a skid is forward motion in which the tires do not rotate.

³ The Changs initially pled a claim for negligence per se for violations of the City's Ordinances, but they later withdrew that claim. To state a claim for negligence, the Changs had to show that the City breached a duty and that breach caused

City employees regarding their interpretations of the relevant City ordinances. Although the trial court initially granted the motion to exclude, it later revisited that decision and allowed the testimony.

The testimony at trial established that the planter was on the City's property and in the right-of-way, which the City was responsible for maintaining. Per its ordinances, the City was responsible for inspecting its roadways, identifying defects, and removing hazards, such as the planter. Specifically, several witnesses testified that the City should have noticed and removed the planter when it completed repair work to Batesville Road in 2012. Experts opined that the planter was a problem, and "the appropriate response" and "obvious choice" was to remove it. But the City had not conducted any safety inspections, and according to the City's own code enforcement officer, "oops, . . . how could we never notice" the existence of the planter.

damages. See *Glover v. Ga. Power Co.*, 347 Ga. App. 372, 375 (1) (819 SE2d 660) (2018). That duty can be established by statute. *Id.* Relevant here, under OCGA § 32-4-93 (a), the City has a duty to keep its streets free from defects of which it had notice. See also *Mayor and Alderman of City of Savannah v. Herrera*, 343 Ga. App. 424, 428 (1) (808 SE2d 416) (2017).

⁴ The City moved for summary judgment, arguing that it was entitled to sovereign immunity from suit under OCGA § 36-33-1 and the Georgia Constitution of 1983, Art IX, Sec. II, Para. IX. The trial court denied the motion, and this Court denied interlocutory review.

The jury found the City liable because it had maintained a defect and a nuisance. It awarded damages in the amount of thirty-five million dollars, which was reduced by seven percent for the amount of Joshua's comparative fault.

Before the trial court entered judgment, the Changs moved for pre-judgment interest under OCGA § 51-12-14 (a), noting that they had made a settlement demand by certified mail, which the City rejected, and they had obtained a judgment in excess of the amount of the demand. The trial court entered judgment reflecting the jury's verdict, but it did not award pre-judgment interest. The Changs later renewed their motion for pre-judgment interest, and requested the trial court enter judgment in the case nunc pro tunc to the date of the jury's verdict. The trial court did not rule on this motion.

The City moved for a new trial and for JNOV, raising the same arguments it now raises on appeal. The trial court denied both motions. Both the City and the Changs now appeal.

Case No. A24A0802

1. The City argues that the trial court erred by denying its motion for JNOV because (a) the negligence claim was barred by sovereign immunity; (b) if it was not

barred by immunity, the recovery was limited to the \$2 million insurance policy limit; (c) the nuisance claim was barred by sovereign immunity; and (d) the plaintiffs failed to establish the planter was a nuisance. It further argues that the trial court erred by permitting witnesses to testify to their interpretation of the relevant City ordinances. We conclude the City waived its immunity and that any error in admitting the testimony was harmless.

(A) *Sovereign immunity*

“Municipalities are protected by sovereign immunity pursuant to Article IX, Section II, Paragraph IX of the Georgia Constitution unless that immunity is waived by the General Assembly or by the terms of the Constitution itself.” (Citations and footnote omitted.) *Mayor & Alderman of City of Savannah v. Herrera*, 343 Ga. App. 424, 427 (1) (808 SE2d 416) (2017); see also OCGA § 36-33-1 (a) (“it is the public policy of the State of Georgia that there is no waiver of the sovereign immunity of municipal corporations of the state and such municipal corporations shall be immune from liability for damages.”). “The burden of demonstrating a waiver of sovereign immunity rests upon the party asserting it.” *Ga. Dept. of Labor v. RTT Assoc.*, 299 Ga. 78, 81 (1) (786 SE2d 840) (2016). “Whether sovereign immunity has been waived

under the undisputed facts is a question of law, and we conduct a de novo review.”

Smith v. City of Roswell, 361 Ga. App. 853, 856 (2) (864 SE2d 175) (2021).

The General Assembly has carved out two separate waivers of the municipality’s sovereign immunity: First, a municipality can waive its immunity through the purchase of insurance under certain circumstances. OCGA § 36-33-1 (a); see also *City of Atlanta v. Mitcham*, 296 Ga. 576, 577 (1), n. 2 (769 SE2d 320) (2015); *Smith*, 361 Ga. App. at 855 (2).

Second, municipal corporations can be liable for negligence in the performance of their ministerial duties.⁵ OCGA § 36-33-1 (b); *Herrera*, 343 Ga. App. at 427-428 (1). And we have explained that “[o]ne such ministerial duty . . . is the duty of a municipality to maintain city streets in a reasonably safe condition for travel.”

⁵ Ministerial functions . . . are recognized as those involving the exercise of some private franchise, or some franchise conferred upon the municipal corporation by law which it may exercise for the private profit or convenience of the corporation or for the convenience of its citizens alone, in which the general public has no interest.

(Citation and punctuation omitted.) *Mitchum*, 296 Ga. at 578 (2); see also *Gatto v. City of Statesboro*, 312 Ga. 164, 167 (1) (860 SE2d 713) (2021) (describing governmental and ministerial functions).

Herrera, 343 Ga. App. at 428 (1). The General Assembly, however, has limited any such liability by statute:

A municipality is relieved of any and all liability resulting from or occasioned by defects in the public roads of its municipal street system when it has not been negligent in constructing or maintaining the same or when it has no actual notice thereof or when such defect has not existed for a sufficient length of time for notice thereof to be inferred.

OCGA § 32-4-93 (a). “Thus, stated positively, municipalities generally have a ministerial duty to keep their streets in repair, and they are liable for injuries resulting from defects after actual notice, or after the defect has existed for a sufficient length of time for notice to be inferred.” (Citation and punctuation omitted.) *Herrera*, 343 Ga. App. 428 (1); see also *Gatto v. City of Statesboro*, 312 Ga. 164, 167 (1), n. 4 (860 SE2d 713) (2021) (“Georgia courts have long held that the duty to maintain streets and sidewalks free from obstructions and other dangers is a ministerial duty.”) (emphasis omitted).

(i) *Ministerial duty*

We begin with whether the City waived its sovereign immunity under the ministerial duty exception, and our analysis considers (a) whether the planter was a

defect in the road; and (b) whether the City had notice of it. See OCGA §§ 32-4-93 (a); 36-33-1 (b); *Herrera*, 343 Ga. App. at 428 (1).

(a) *Did the planter constitute a defect in the road*

For more than 100 years, the rule in Georgia has been: “[t]he municipality should not allow obstructions . . . to adjoin the traveled way which will render its use unsafe and dangerous. . . . Cities are liable for . . . negligently allowing obstructions likely to cause injury to be placed upon or near the line[.]” (Citations and punctuation omitted.) *City Council of Augusta v. Tharpe*, 113 Ga. 152, 155-56 (38 SE 389) (1901).

Here, there is no dispute that the planter was located on the shoulder and within the right-of-way on the City’s property. Importantly, the term “road” is defined by statute as

a highway, road, street, avenue, toll road, tollway, drive, detour, or other way that either is open to the public or has been acquired as right of way, and is intended to be used for enjoyment by the public and for the passage of vehicles in any county or municipality of Georgia, including but not limited to the following public rights, structures, sidewalks, facilities, and appurtenances incidental to the construction, maintenance, and enjoyment of such rights of way: (A) Surface, shoulders, and sides[.]

OCGA § 32-1-3 (24).⁶

In addition, the City's own municipal code defines right-of-way to include the shoulder. City of Milton Municipal Code § 48-653.⁷ The City acknowledges that the planter was on the shoulder, in the right-of-way on a City-owned road. There was additional evidence that the shoulder was used for drivers in cases of emergency or in evasive maneuvers. Thus, the record demonstrates that the planter was in the road as that term is defined by statute. OCGA § 32-1-3 (24).

Turning to whether the planter was a defect, we have held that a defect in the street "include[s] objects adjacent to, and suspended over, the municipality's streets and sidewalks, the presence of which renders the use of these thoroughfares more

⁶ We cannot accept the City's argument during oral argument that the planter was not in the road because it was not in an area intended to be used for vehicle travel. It is well-settled that "when interpreting a statute, all its words must be given due weight; we are forbidden to 'read out' any words in the statute unless a clear reason appears for doing so." (Citation and punctuation omitted.) *AgSouth Farm Credit v. Gowen Timber Co.*, 336 Ga. App. 581, 589 (2) (b) (i) (784 SE2d 913) (2016). And, we must avoid "a statutory construction that will render some of the statutory language mere surplusage[.]" *Kennedy v. Carlton*, 294 Ga. 576, 578 (2) (757 SE2d 46) (2014). Reading the statute in this manner, we conclude that the planter was in the road as that term is defined by statute. OCGA § 32-1-3 (24).

⁷ Interestingly, this definition appears in the portion of the municipal code, entitled "Trail Development Standards." But no one argues that the definition would be different elsewhere in the Code.

hazardous.” (Citations omitted.) *Kicklighter v. Savannah Transit Auth.*, 167 Ga. App. 528, 530 (2) (307 SE2d 47) (1983) (whether power pole on curb area was a defect was question of fact for the jury where bus passenger got arm caught between bus window and pole and the bus remained on the road). And in such cases, we have repeatedly found that the City waived its immunity. See *Herrera*, 343 Ga. App. at 429-432 (1) (City waived its immunity where trees adjacent to street may have obstructed view and it was for the jury to decide if they were a defect); *DeWaters v. City of Atlanta*, 169 Ga. App. 41, 43-44 (1) (311 SE2d 232) (1983) (City not immune from suit involving sewer grate in road that injured bicyclist); *Barnum v. Martin*, 135 Ga. App. 712, 716-717 (3) (219 SE2d 341) (1975) (road with improper elevation and sharp curve was defective and City had obligation to repair it or provide warning), disapproved of on other grounds by *Dept. of Public Safety v. Ragsdale*, 308 Ga. 210, 214, n.7 (839 SE2d 541) (2020); *City of Milledgeville v. Holloway*, 32 Ga. App. 734 (124 SE 802) (1924) (City breached ministerial duty to keep streets in safe condition where driver was forced to turn onto sidestreet to avoid obstruction in road, which resulted in driver skidding into ditch not protected by guard rail).

Here, the testimony established that the planter was located on the City's property in the right-of-way and on the shoulder. Additional testimony established that the shoulder was used to give drivers a place to maneuver if they needed to pull off the road or to perform an evasive maneuver, and that the presence of the planter on the shoulder was a hazard for vehicles leaving the travel lanes. There was additional testimony that the City should have discovered the existence of the planter and removed it. Given these facts, it was for the jury to determine if the planter constituted a defect. *Herrera*, 343 Ga. App. at 430 (1).⁸ And, as noted, there was evidence from which the jury could find that the planter was an "object[] adjacent to" the roadway,

⁸ The Changs contend that *Herrera* was limited to consideration of defects outside the road, similar to *Smith*. See *Chatham Area Transit Auth. v. Brantley*, 353 Ga. App. 197, 201 (1) (834 SE2d 593) (2019) ("at no point in *Herrera* did we discuss the phrase 'municipal street system' or its meaning. Our conclusion in that case, as it clearly states, merely addresses what may be considered a defect based on its location in relation to the public road, not whether the public road is part of the municipal street system."). This description in *Brantley* is too narrow a reading of *Herrera*, which was concerned with what constituted a "defect" on the road. See *Herrera*, 343 Ga. App. at 428-430 (1) ("The question then turns on what constitutes a defect in the public roads . . . and whether objects adjacent to the road that obstruct the view of travellers on the road are considered 'defects in the public roads.'" (citation omitted)).

which “renders the use of these thoroughfares more hazardous.” (Citation omitted.) *Kicklighter*, 167 Ga. App. at 530 (2); see also OCGA § 32-4-93 (a).

We are unpersuaded by the City’s reliance on *Smith v. City of Roswell*, 361 Ga. App. 853 (864 SE2d 175) (2021), and find that case distinguishable. In *Smith*, while driving under the influence, a father drove his car off the road and struck two mailboxes, killing himself and his daughter. *Id.* at 853. The child’s mother sued the City of Roswell, arguing that the failure to remove the mailboxes was a ministerial duty. *Id.* The trial court granted Roswell’s motion to dismiss on sovereign immunity grounds. *Id.* On appeal, this Court considered whether the mailboxes constituted defects in the road, noting that it was undisputed that the mailboxes were not in or on the road, as the plaintiff had pled that the car “left the roadway” before striking them. *Id.* at 858-859 (2) (b). Given that fact, we explained,

[w]here a plaintiff alleges that the defective condition which caused injury was located on a part of the city’s street and sidewalk system, *there must be some evidence that the defect was located in an area accepted by the city, either expressly or by implication, for use as a street or sidewalk, before the city can be charged with liability for negligently failing to maintain the area in a reasonably safe condition.*

(Citation omitted; emphasis supplied.) *Id.* at 858 (2) (b).

The analysis in *Smith* did not address whether an object *in the road* constituted a defect such that the City had a ministerial duty to remove it. “[Q]uestions which merely lurk in the record, neither brought to the attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents.” (Citation and punctuation omitted.) *Wolfe v. Bd. of Regents of the Univ. System of Ga.*, 300 Ga. 223, 231 (2) (d) (794 SE2d 85) (2016). Moreover, various City employees testified that the planter was on the shoulder, in the right-of-way, on a City-owned street. Thus, we do not find *Smith* on point.⁹

(b) *Whether the City had notice of the defect in the road*

As we have explained, notice can be actual or constructive. *Herrera*, 343 Ga. App. at 428 (1).

Constructive notice of a defect may be imputed through the knowledge of the city’s employees or agents, or may be shown by testimony as to how long the defect existed prior to the injury, objective evidence that the defect existed over time, or evidence that others were

⁹ Likewise, *City of Vidalia v. Brown*, 237 Ga. App. 831, 832-834 (1) (516 SE2d 851) (1999) (physical precedent only), on which the City relies, is also distinguishable because that case did not involve a hazard or defect *in the roadway* where vehicles could travel. See also *City of Alpharetta v. Hamby*, 352 Ga. App. 511, 515-516 (1) (b) (ii) (835 SE2d 366) (2019).

injured as a result of the same condition over a period of years. The question of constructive notice ordinarily is for the jury, except in the absence of any evidence of constructive notice that could create a fact question, and in such an instance, the issue of negligence is a matter of law. Further, the length of time a defect must exist in order for an inference of notice to arise is ordinarily a jury question.

(Citation and punctuation omitted.) *Herrera*, 343 Ga. App. at 431 (1); see also *Tucker v. City of Thomasville*, 367 Ga. App. 700, 702 (888 SE2d 265) (2023); *City of Sumanee v. Padgett*, 364 Ga. App. 34, 37-38 (3) (b) (873 SE2d 712) (2022) (Google street view photos taken years before injury was sufficient to raise jury question of constructive notice); but see *City of Brunswick v. Smith*, 350 Ga. App. 501, 504-505 (829 SE2d 781) (2019) (Google street view photograph of defect prior to plaintiff's accident did not create jury question in absence of other evidence to show defect had existed over time).

Here, there was testimony that the planter pre-dated the City's incorporation in 2006, that the City performed repair work on the road in 2012, and the City could have noticed and removed the planter then. The City's representative also acknowledged that, in surveys completed prior to the accident, the planter is visible. As such, there was sufficient evidence from which the jury could conclude the City

had notice. See *Herrera*, 343 Ga. App. at 431-432 (1) (evidence of prior accidents and City worker's observation of obstruction created jury question as to notice of nuisance).

(ii) *Insurance policy*

The City also mentions briefly that any waiver of immunity is limited to the extent of the insurance policy. But ministerial duty and insurance are two separate and distinct waivers of immunity. Having concluded that the City waived its immunity based on its ministerial duty, we need not consider whether it waived immunity by purchasing insurance. OCGA § 36-33-1 (a), (b).

(B) *Nuisance*¹⁰

If a municipality is to be held liable under a theory of maintaining a nuisance, there must be the maintenance of a dangerous condition on a continuous or regular basis over a period of time in which no action or inadequate action is taken to correct the condition after knowledge

¹⁰ The City asks us to overrule two Supreme Court of Georgia cases holding that there is a nuisance “exception” to sovereign immunity. It goes without saying that this Court cannot “overrule” decisions of our Supreme Court. See *Etkind v. Suarez*, 234 Ga. App. 108 (505 SE2d 831) (1998) (“[T]his court has no authority to overrule or modify a decision of the Supreme Court of Georgia as the decisions of the Supreme Court of Georgia shall bind all other courts as precedents.”) (citations and punctuation omitted); see also *McCulloch v. State*, 357 Ga. App. 67, 69 (1), n. 4 (849 SE2d 795) (2020).

thereof. If the municipality did not perform an act creating the dangerous condition, . . . the failure of the municipality to rectify the dangerous condition must be in violation of a duty to act. The municipality must either have knowledge or be chargeable with notice of the dangerous condition[.]

(Citations, punctuation, and emphasis omitted.) *Kicklighter*, 167 Ga. App. at 531 (3); see also *City of Alpharetta v. Vlass*, 360 Ga. App. 432, 435-436 (1) (861 SE2d 249) (2021); *Heller v. City of Atlanta*, 290 Ga. App. 345, 350 (2) (659 SE2d 617) (2008); OCGA § 41-1-1 (“A nuisance is anything that causes hurt, inconvenience, or damage to another and the fact that the act done may otherwise be lawful shall not keep it from being a nuisance.”).¹¹

In light of our conclusion in Division 1 (A) (i) that the City was not entitled to immunity on the negligence claim, we need not address the City’s argument that the Changs failed to establish a nuisance. Notably, the jury found the City liable for both

¹¹ The Changs contend that the City has waived any argument that the planter constituted a private nuisance (as opposed to a public one) because it did not raise the argument in its motion for directed verdict. See generally, *Avion Systems v. Bellomo*, 338 Ga. App. 141, 144 (2) (789 SE2d 374) (2016) (party cannot raise issue in JNOV that it did not raise in motion for directed verdict). However, the City’s main argument is that there was no waiver of sovereign immunity for nuisance claims, and the Changs failed to establish the elements of nuisance. And, the arguments on appeal are the same as those raised in the motions for directed verdict and JNOV.

negligence and nuisance, and the verdict form did not allocate the damages award to either theory specifically. See *City of Lawrenceville v. Alford*, 366 Ga. App. 226, 229 (881 SE2d 474) (2022) (“In the absence of a verdict form requiring more specificity, the method by which a jury reaches a particular verdict is not a matter of which this Court can take judicial cognizance. If the City had wanted the jury to explain the basis for the damages award, it should have objected to the verdict form. It did not do so and thus has waived any objection in this regard.”) (citations and punctuation omitted); *Ga. Clinic v. Stout*, 323 Ga. App. 487, 492 (2) (747 SE2d 83) (2013) (where the verdict form did not indicate which of the two grounds of liability the jury found, this Court would not question the verdict).

2. The City next argues that the trial court erred by permitting the witnesses to testify to their interpretations of the City’s ordinances because their opinions were irrelevant, and witnesses are not permitted to testify to statutory interpretation. The Changs respond that the City waived this issue by eliciting the testimony during its own examination of the witnesses.¹² We conclude that any error was harmless.

¹² The City requested a continuing objection to such testimony, and the trial court agreed.

We review a trial court's admission of evidence for abuse of discretion.

MyFamilyDoc v. Johnston, 366 Ga. App. 459, 464 (2) (883 SE2d 404) (2023).

However, to be reversible error, it is not enough that the trial court erred; the plaintiffs also must show that the error had an effect on the outcome of the proceedings. Erroneous evidentiary rulings are subject to the harmless error doctrine, meaning we may not reverse a judgment because of such an error unless refusal to take such action appears to the court inconsistent with substantial justice. When we consider whether an error was harmless, we review the record de novo and weigh the evidence as we would expect reasonable jurors to have done so.

(Citations and punctuation omitted.) *Ross-Stubblefield v. Weakland*, 359 Ga. App. 523, 527 (859 SE2d 502) (2021); see also OCGA 24-1-103 (a) ("Error shall not be predicated upon a ruling which admits or excludes evidence unless a substantial right of the party is affected[.]").

Pretermitted whether the City waived the error, we conclude that any error in the admission of this testimony was harmless.¹³ *Ross-Stubblefield*, 359 Ga. App. at

¹³ In arguing that this testimony was permissible, the Changs incorrectly focus on whether the witnesses testified to the ultimate issue; but the City argues that the witnesses improperly gave opinions on statutory interpretation. Although witnesses may give testimony as to the former, any testimony to the latter is clearly improper. See *Fireman's Fund Ins. Co. v. Holder Constr. Group, LLC*, 362 Ga. App. 367, 374 (1) (b) (868 SE2d 485) (2022); see also *United States v. F. E. B. Corp.*, 52 F.4th 916, 932

526-527; see also *Beaubrun v. State*, 363 Ga. App. 798, 799 (2) (872 SE2d 776) (2022).

Importantly, there was no dispute that the planter was in the roadway as that term is defined by the state statute. The trial court instructed the jury that “a City has a duty to maintain the public roads of its municipal street system in a reasonably safe condition for traffic. A City does not have a duty to keep an area outside the public roads safe from defects when the defects do not . . . impede travel on the public road.”

Reviewing the evidence de novo, and viewing it as a reasonable juror would, we conclude that the fact that the witnesses may have opined whether the planter was a hazard that had to be removed under the ordinances had no impact on the jury’s verdict. Given the statutory definition of roadway, the City employees’ acknowledgment that they should have noticed and removed the planter, and the other evidence regarding the vehicle use of the shoulder, such testimony did not affect the outcome of the trial. Accordingly, the admission of this testimony was harmless.

Ross-Stubblefield, 359 Ga. App. at 526-527.

Case No. A24A0803

(IV) (B) (11th Cir. 2022) (“statutory interpretation is a legal question for a judge, not a factual question for the trier of fact. . . While expert witnesses may offer opinions on an ‘ultimate issue’ in a case, they may not offer ‘legal conclusions.’”) (citations and punctuation omitted).

3. The Changs cross-appeal from the trial court's failure to award pre-judgment interest and to enter its final judgment nunc pro tunc to the date of the jury's verdict. We agree with both arguments.

(a) *Pre-judgment interest.*

Under OCGA § 51-12-14, known as the "Unliquidated Damages Interest Act,"

[w]here a claimant has given written notice by registered or certified mail or statutory overnight delivery to a person against whom claim is made of a demand for an amount of unliquidated damages in a tort action and the person against whom such claim is made fails to pay such amount within 30 days from the mailing or delivering of the notice, the claimant *shall* be entitled to receive interest on the amount demanded if, upon trial of the case in which the claim is made, the judgment is for an amount not less than the amount demanded[.]

(Emphasis supplied.) OCGA § 51-12-14 (a), (e). When a party is entitled to pre-judgment interest under this provision, the amount "shall begin to run from the thirtieth day following the date of the mailing or delivering of the written notice until

the date of judgment.”¹⁴ OCGA § 51-12-14 (c). The question of pre-judgment interest is for the court rather than the jury:

Evidence or discussion of interest on liquidated damages, as well as evidence of the offer, shall not be submitted to the jury. Interest *shall be made a part of the judgment* upon presentation of evidence to the satisfaction of the court that this Code section has been complied with and that the verdict of the jury or the award by the judge trying the case without a jury is equal to or exceeds the amount claimed in the notice.

(Emphasis supplied.) OCGA § 51-12-14 (d).

The Changs argue that they are entitled to pre-judgment interest from March 17, 2023, which was 30 days after the date of the last settlement offer, until the date of the jury’s verdict on June 15, 2023. We must look to the statute to determine whether the trial court was required to award pre-judgment interest.

When interpreting provisions of a statute, such as [OCGA § 51-12-14], we must presume that the General Assembly meant what it said and said what it meant. To that end, we must afford the statutory text its plain and ordinary meaning, we must view the statutory text in the

¹⁴ The Changs made seven offers to settle the case, all of which the City rejected. The amount of these offers ranged from \$1.75 million early in the case, to \$10 million just before trial. As noted, the jury returned a verdict in the amount of \$35 million.

context in which it appears, and we must read the statutory text in its most natural and reasonable way, as an ordinary speaker of the English language would. If the statutory text is clear and unambiguous, we attribute to the statute its plain meaning, and our search for statutory meaning is at an end.

(Citation omitted.) *Carr v. Yim*, 369 Ga. App. 389, 392 (893 SE2d 801) (2023).

The plain language of the statute uses the mandatory word “shall.” See *In re Blake*, 370 Ga. App. 610, 614 (1) (898 SE2d 638) (2024); *Baylis v. Daryani*, 294 Ga. App. 729, 730 (1) (669 SE2d 674) (2008) (“The general rule is that ‘shall’ is recognized as a command, and is mandatory.”). Here, the Changs satisfied all of the pre-requisites for seeking pre-judgment interest. Thus, the trial court erred by implicitly denying an award of pre-judgment interest, and we vacate the entry of judgment, and remand the case with direction to award pre-judgment interest.

(b) *Nunc pro tunc*

The Changs then urge this Court to instruct the trial court on remand to enter judgment nunc pro tunc to the date of the jury’s verdict under *Taylor v. Devereux Foundation*, 316 Ga. 44, 95-96 (IX) (885 SE2d 671) (2023). Here, the record reflects

that the trial court did not enter its judgment on the verdict until 12 days after the jury's verdict.

“A trial court may enter a judgment nunc pro tunc to perfect the record and properly reflect when an order or judgment should have been entered.” (Citation and punctuation omitted.) *Taylor*, 316 Ga. at 95 (IX).

The general rule is that nunc pro tunc entries are proper to correct clerical errors but not judicial errors. A clerical error involves an error or mistake made by a clerk or other judicial or ministerial officer in writing or keeping records; it does not include an error made by the court itself. To be clerical in nature it must be one which is not the result of judicial reasoning or determination.

(Citation omitted.) *K/C Ice, LLC v. Connell*, 352 Ga. App. 376, 379 (2) (835 SE2d 11) (2019).

In other words,

[a] court's power to amend nunc pro tunc is the power to correct inadvertent errors or omissions in the record to reflect the truth of what happened; it does not include the power to supply judicial omissions so as to include what a court might or should have decided, but did not actually so decide. Accordingly, the purpose of entering an order nunc pro tunc is to record some previously unrecorded action actually taken

or judgment actually rendered. It may not be used to supply an order not yet made by the court.

(Citations and punctuation omitted.) *Citizens for Ethics in Govt. v. Atlanta Dev. Auth.*, 303 Ga. App. 724, 734 (2) (694 SE2d 680) (2010).

As our Supreme Court's decision in *Taylor* dictates, the trial court should have entered judgment nunc pro tunc to the date of the jury's verdict. 316 Ga. at 95-96 (IX); see also *Wingate Land & Dev. v. Robert C. Walker, Inc.*, 252 Ga. App. 818, 822 (5) (558 SE2d 13) (2001) (trial court had authority to enter judgment nunc pro tunc even though final judgment was entered almost a year after the jury's verdict). Accordingly, on remand, the trial court is directed to enter judgment nunc pro tunc to the date of the jury's verdict.

Judgment affirmed in Case No. A24A0802. Judgment vacated and case remanded with direction in Case No. A24A0803. Miller, P. J., and Land, J., concur.

[← See all GMA News Updates](#)

Milton's Legal Battle Gains Support from GMA and Dozens of Cities

January 15, 2025

The ongoing litigation involving the City of Milton has raised critical legal questions about municipal liability for objects within public rights-of-way—questions that could significantly affect cities across Georgia. Recognizing the potential statewide impact of this case, GMA filed an amicus brief urging the Georgia Supreme Court to review and reverse lower court decisions that could impose significant burdens on municipalities.

The case stems from a tragic single-car accident in which a young driver left the roadway and struck a planter within the right-of-way, resulting in the driver's death. Despite no prior complaints or incidents involving the planter, the trial court and the Georgia Court of Appeals held Milton largely responsible for its presence. The City of Milton has since appealed the decision to the Georgia Supreme Court, prompting GMA and others to file briefs in support of the appeal.

GMA's brief highlights major inconsistencies in the appellate court's ruling and warns of the financial and operational burdens cities could face if the decision is allowed to stand. If upheld, municipalities across Georgia could be forced to remove or relocate countless objects from public rights-of-way, from planters and benches to traffic control boxes and monuments, even if they've never been deemed hazardous.

Milton's appeal has drawn widespread support, with GMA, other cities, and organizations filing amicus briefs advocating for the decision to be overturned. These include Georgia Power, the International Municipal Lawyers Association, the Georgia Electric Membership Corporation, the cities of Johns Creek, Atlanta, and Peachtree Corners, as well as a joint brief submitted by 58 additional cities across Georgia. Together, these groups emphasize the serious statewide consequences of this ruling and the need for a fairer standard of liability.

As the Supreme Court considers this important case, GMA remains committed to standing up for Georgia's cities, advocating for practical legal standards that protect both municipalities and their residents.

More Information

GMA Brief in Support of Georgia Supreme Court Review of Milton vs. Chang

Tragic Accident Brings Municipal Tort Liability to the Forefront

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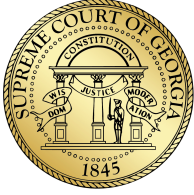
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SUPREME COURT OF GEORGIA
Case No. S25C0476

June 24, 2025

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

CITY OF MILTON v. JOHN CHANG et al.

Court of Appeals Case No. A24A0802

The Supreme Court today granted the writ of certiorari in this case as case No. **S25G0476**.

This case will be assigned to the October 2025 oral argument calendar automatically under Supreme Court Rule 50 (1) (a). Oral argument is mandatory in granted certiorari cases.

This Court is particularly concerned with the following issue or issues:

1. Is the design and placement of objects on a shoulder of a roadway part of the ministerial duty of a municipality to keep its “streets and sidewalks in a reasonably safe condition” or is it a governmental function? Compare *Mayor, Etc., of Dalton v. Wilson*, 118 Ga. 100 (44 SE 830) (1903) with *Town of Fort Oglethorpe v. Phillips*, 224 Ga. 834 (165 SE2d 141) (1968). See generally OCGA § 36-33-1.
2. Is the placement of a planter on the shoulder of a roadway a “defect[] in the public roads of [the municipality’s] municipal street system”? See OCGA § 32-4-93 (a).

3. For municipal immunity to be waived under the circumstances of this case, must the plaintiff show that the municipality violated its ministerial duty to keep its “streets and sidewalks in a reasonably safe condition” and that the planter on the shoulder of the roadway is a “defect[] in the public roads of [the municipality’s] municipal street system”? Please address the interplay between OCGA § 36-33-1 and OCGA § 32-4-93 (a).

Briefs should be submitted only on these points. See Supreme Court Rule 45.

Warren, PJ, and Bethel, McMillian, LaGrua, Colvin, and Pinson, JJ, concur. Ellington, J., dissents. Peterson, CJ, disqualified.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

 , Clerk



CITY OF VILLA RICA
City Council Meeting
Agenda Item Cover Sheet

SUBJECT: VA-02-25 – Stepfon Brown and Pro Building, on behalf of Peach State Trucking, are requesting multiple variances, deviating from the following sections: Section(s) 9.29 - Wall Signs, 9.37 - Billboard Signs, and 9.30 - Wayfinding Signs. The project is located at 460 Edge Road, within Ward 5, and zoned Commercial Medium Density (C2). **This is a Public Hearing.**

AGENDA DATE: June 26, 2025

MEETING DATE: July 8, 2025

PREPARED BY: Brecca R. Carter, Interim Community Development Director

PUBLIC HEARING: YES

PURPOSE:

The applicant is requesting to deviate from Multiple sign variances, per *Sections 9.29 (Wall Signs), 9.24 (Pylon Signs), and 9.30 (Wayfinding Signs)*. The property is currently under construction for a 148,000 square-foot facility, designed primarily for tractor-trailer sales and maintenance. The proposed Master Plan, Letter of Intent, and staff report are attached for your reference.

BACKGROUND:

The subject property is located on Edge Road, west of Liberty Road and south of Interstate 20, with road frontage along each thoroughfare. The parcel is currently zoned Commercial Medium-Density (C2) and is currently under construction of a truck center and repair facility. It forms the southern boundary of Douglas County, directly across Edge Road from Carroll County. The property is adjacent to other Commercial Medium-Density (C2) zoned parcels to the north, west, east, and southwest. Additionally, it shares a boundary with agricultural property to the southwest. Nearby developments include J&M Tank Line Inc. to the west, and undeveloped property to the east, where Pilot and Flex Storage pylon signs are located.

According to the applicant's General Statement in the Letter of Intent and List of Variances, the request for multiple sign variances is driven by the large scale of the development for internal directional signage and the need for signage that is appropriately sized and proportioned for visibility from Interstate 20 and surrounding roadways.

STAFF RECOMMENDATION:

Staff recommends Approval of four (4) of the ten (10) requests to deviate from Sections 9.29, 9.37, and 9.30 of the sign ordinance for the property located at 450 Edge Road as follows:

Wall Signs

- Variance to exceed the city's maximum allowable wall sign size of 300 square feet under Section 9.29 – Wall Signs for the "Peach State Truck Centers" main wall sign. (A1.0)
Proposed: 328 square feet
Required: 300 square feet
Can meet the variance requirement as proposed
- Variance from Section 9.29 to allow multiple lane identifier wall signs on the East Elevation, consisting of three 4.1' x 4.1' signs for customer wayfinding. (J1.0-1.2)
Proposed: 3 signs
Required: 1 sign
Can meet variance requirement as proposed

Billboard Sign Along I-20

- Variance from Section 9.37 – Billboard Signs to allow a 78-foot-tall billboard sign with a 622.5-square-foot sign face with digital display. (L1.0)
Proposed: Height - 78 feet; Sign face area - 622.5 square feet
Required: Height - 65 feet
Can meet the variance requirement

Wayfinding Sign

- Variance from Section 9.30 – Wayfinding Signs to allow a height of 13 feet and a sign face area of 19.2 square feet, exceeding the city's maximum allowable height of 10 feet and area of 16 square feet.
Proposed: Height - 12 feet; Sign face area - 19.2 square feet
Required: Height - 10 feet; Sign face area - 16 square feet
Can meet the variance requirement

On June 17, 2025, the Planning & Zoning Commission voted to Approve nine (9) and denied one (1) of the ten (10) variance requests as outline below:

APPROVED

1. Variance to exceed the city's maximum allowable wall sign size of 300 square feet under Section 9.29 – Wall Signs for the "Peach State Truck Centers" main wall sign. (A1.0)
 - Proposed: 328 square feet
 - Required: 300 square feet
2. Variance from Section 9.29 to allow multiple wall signs on the East Elevation, including "Service Write-up," "Parts Sales," and "Truck Sales," strategically placed as wayfinding for customers. (H1.0)
 - Proposed: 3 signs
 - Required: 1 sign
3. Variance from Section 9.29 to allow multiple lane identifier wall signs on the East Elevation, consisting of three 4.1' x 4.1' signs for customer wayfinding. (J1.0-1.2)
 - Proposed: 3 signs
 - Required: 1 sign

4. Variance from Section 9.29 to allow multiple wall signs on the South Elevation, including three 4.7' x 4.7' "Parts Will Call" and "Trailer Drop" signs for customer wayfinding. (D1.0-1.2)
 - Proposed: 3 signs
 - Required: 1 sign
5. Variance from Section 9.29 to allow multiple wall signs on the North Elevation, identifying manufacturers represented at this facility ("Freightliner," "Thomas," "Cummins," etc.). (A1.1 & A1.2), (E1.4 – A1.7)
 - Proposed: 7 signs
 - Required: 1 sign
6. Variance from Section 9.29 to allow multiple wall signs on the West Elevation, including "Parts Will Call" and "Drive-Thru" signs strategically placed for customer wayfinding. (G1.0)
 - Proposed: 2 signs
 - Required: 1 sign
7. Ground-Mounted Wayfinding (3)
 - a. Request for Planning Commission approval for three proposed wayfinding signs.
8. Billboard Sign Along I-20
 - a. Variance from Section 9.37 – Billboard Signs to allow a 78-foot-tall billboard sign with a 622.5-square-foot sign face with digital display. (L1.0)
 - Proposed: Height - 78 feet; Sign face area - 622.5 square feet
 - Required: Height - 65 feet

10. Wayfinding Signs

- a. Variance from Section 9.30 – Wayfinding Signs to allow a height of 13 feet and a sign face area of 19.2 square feet, exceeding the city's maximum allowable height of 10 feet and area of 16 square feet.
 - Proposed: Height - 12 feet; Sign face area - 19.2 square feet
 - Required: Height - 10 feet; Sign face area - 16 square feet

DENIED

9. Retaining Wall Sign

a. Variance to exceed the city's maximum allowable wall sign size of 300 square feet under Section 9.29 – Wall Signs for the "Peach State Truck Centers" retaining wall sign. (11.0)

- Proposed: 391 square feet
- Required: 300 square feet

IMPACT: N/A

MOTION:



Planning & Zoning Commission Meeting: June 17, 2025

City Council Meeting: July 8, 2025

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

Re: Community Development Staff Report
Stepfon Brown (Peach State Trucking)
VA-02-25
450 Edge Road
Land Lot 145025
Parcel # 01450250026
Acreage: 25.83
Zone: Commercial Medium Density (C2)
Ward: 5
City Council Member: Danny Carter
Planning Board Member: Ashley Head
City of Villa Rica, Douglas County, Georgia

Stepfon Brown and Pro Building, on behalf of Peach State Trucking (the Applicant), are requesting multiple sign variances, deviating from the following sections: Section(s) 9.29 – Wall Signs, 9.37- Billboard Signs, and 9.30 – Wayfinding Signs

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

1. Application for a Variance, dated March 25, 2025 (3 pages);
2. Limited Warranty Deed, dated July 23, 2023, signed by Nasser Ali Al-Anssi (5 pages);
3. Letter of Intent, undated, signed by Steven Ellis, Senior Vice President, Pro Building Systems (3 pages);
4. Applicant Statement of Necessity, undated, by Rick Renolds, Owner (1 page);
5. Sign Diagram Packet, dated May 13, 2025, (15 pages);

A. Existing Conditions

The subject property is located on Edge Road, west of Liberty Road and south of Interstate 20, with road frontage along each thoroughfare. There is approximately 380 feet of frontage along Edge Road, with a gradual slope descending from the southern frontage to the northern rear.



The parcel is currently zoned Commercial Medium-Density (C2) and is currently under construction of a truck center and repair facility. It does not border a city boundary or an unincorporated area, but forms the southern boundary of Douglas County, directly across Edge Road from Carroll County.

The property is adjacent to other Commercial Medium-Density (C2) zoned parcels to the north, west, east, and southwest. Additionally, it shares a boundary with agricultural property to the southwest. Nearby developments include J&M Tank Line Inc. to the west, and undeveloped property to the east, where Pilot and Flex Storage pylon signs are located

Surrounding Properties:

TABLE 1 – SURROUNDING LAND USES		
	Current Zoning	Land Use Character Area
North	Commercial Medium-Density (C-2)	I-20 Gateway
East	Commercial Medium-Density (C-2)	I-20 Gateway
South	Commercial Medium-Density (C-2) and Agricultural (AG)	I-20 Gateway
West	Commercial Medium-Density (C-2)	I-20 Gateway

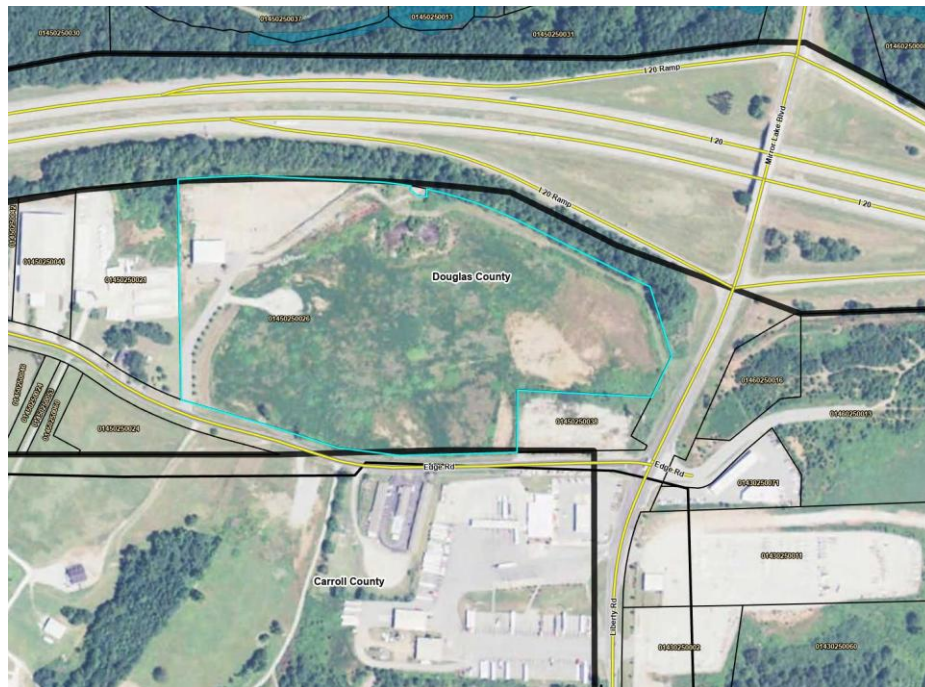


Figure 1: Carroll County GIS image of the site, with the property boundaries approximated.



B. Site History

The property was rezoned from General Commercial (GC) under the Unified Development Code (UDC) to Commercial-Medium Density (C2) as part of the citywide rezoning effort in 2020, representing a lateral zoning change. Construction of the 148,000 square-foot truck center & repair facility is currently underway.

C. Proposed Development

The applicant has been approved to construct a 148,000-square-foot, 45-foot-tall Peach State Trucking facility, designed primarily for tractor-trailer sales and maintenance. The development will feature canopy overhangs, a retail area, service bays, storage space, and administrative offices. Additionally, the project includes 487 parking spaces and will incorporate a variety of signage types, including wayfinding, pylon, monument, and wall signs.

According to the applicant's General Statement in the Letter of Intent and List of Variances, the request for multiple sign variances is driven by the large scale of the development for internal directional signage and the need for signage that is appropriately sized and proportioned for visibility from Interstate 20 and surrounding roadways.

The applicant is requesting a variance from Section 9.29 – Wall Signs, which limits signage to one per frontage. The proposed deviation would allow additional wall signs to improve navigation and wayfinding throughout the property.

Additionally, the applicant is requesting a variance from Section 9.37 – Billboard Signs, which restricts billboard height to 65 feet from the base of the structure to the top of the sign. The requested height increase to 78 feet falls within the 20% variance allowance permitted under Section 9.08 of the zoning ordinance. This adjustment is intended to enhance visibility for travelers on I-20, serving as a key directional indicator to minimize missed exits and unnecessary traffic congestion.

The proposed billboard sign will adhere to the maximum width of 48 feet and a maximum sign face area of 672 square feet. An adjacent undeveloped property to the east features a 110-foot multi-tenant electronic billboard, which was approved by the City Council on May 9, 2023 (VA-01-23). The current applicant's request is for a 78-foot static billboard sign.



Flood Plain

The property is not located within a flood zone. Figure 2, below, indicates the flood zone map:

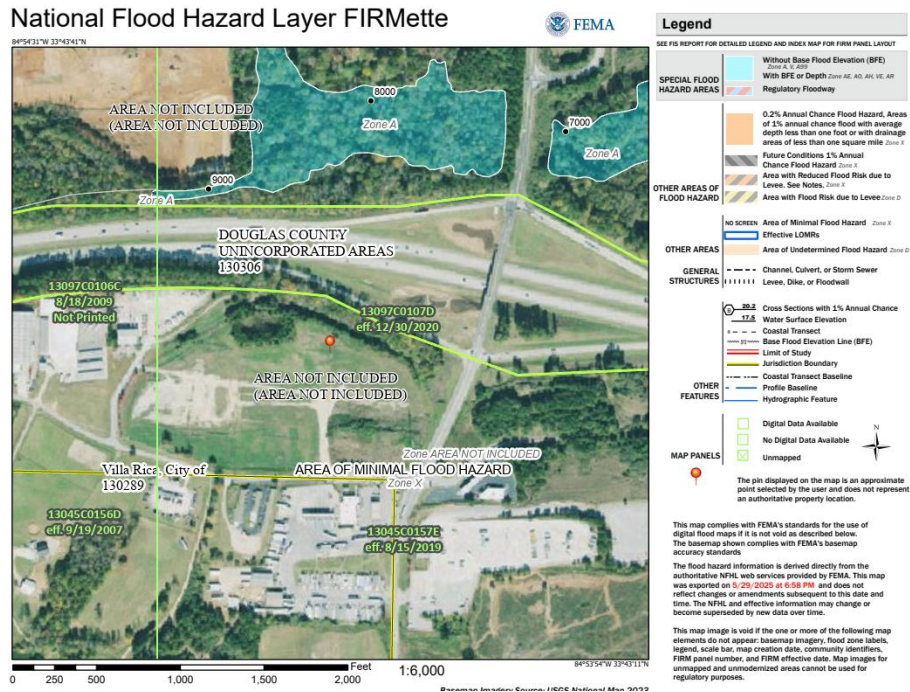


Figure 2: FEMA Flood Map

D. Variances

The developer has requested variance relief from the sign ordinance as outlined below. The applicant has provided justification for deviations from Sections 9.29 (Wall Signs), 9.24 (Pylon Signs), and 9.30 (Wayfinding Signs) in the Letter of Intent and List of Variances document. **Per Section 9.08(3) – Variances, no variance shall be granted that increases the size of a sign by more than twenty (20) percent beyond the allowable limit.**

1. Variance to exceed the city's maximum allowable wall sign size of 300 square feet under Section 9.29 – Wall Signs for the "Peach State Truck Centers" main wall sign. (A1.0)
 - Proposed: 328 square feet
 - Required: 300 square feet
 - Can meet the variance requirement as proposed



2. Variance from Section 9.29 to allow multiple wall signs on the East Elevation, including "Service Write-up," "Parts Sales," and "Truck Sales," strategically placed as wayfinding for customers. (H1.0)
 - Proposed: 3 signs
 - Required: 1 sign
 - **Cannot meet variance requirement as proposed**
3. Variance from Section 9.29 to allow multiple lane identifier wall signs on the East Elevation, consisting of three 4.1' x 4.1' signs for customer wayfinding. (J1.0-1.2)
 - Proposed: 3 signs
 - Required: 1 sign
 - **Can meet variance requirement as proposed**
4. Variance from Section 9.29 to allow multiple wall signs on the South Elevation, including three 4.7' x 4.7' "Parts Will Call" and "Trailer Drop" signs for customer wayfinding. (D1.0-1.2)
 - Proposed: 3 signs
 - Required: 1 sign
 - **Cannot meet variance requirement as proposed**
5. Variance from Section 9.29 to allow multiple wall signs on the North Elevation, identifying manufacturers represented at this facility ("Freightliner," "Thomas," "Cummins," etc.). (A1.1 & A1.2), (E1.4 – A1.7)
 - Proposed: 7 signs
 - Required: 1 sign
 - **Cannot meet the variance requirement as proposed**
6. Variance from Section 9.29 to allow multiple wall signs on the West Elevation, including "Parts Will Call" and "Drive-Thru" signs strategically placed for customer wayfinding. (G1.0)
 - Proposed: 2 signs
 - Required: 1 sign
 - **Cannot meet the variance requirement as proposed**
7. Ground-Mounted Wayfinding (3)
 - a. **Request for Planning Commission approval for three proposed wayfinding signs.**
8. Retaining Wall Sign
 - a. Variance to exceed the city's maximum allowable wall sign size of 300 square feet under Section 9.29 – Wall Signs for the "Peach State Truck Centers" retaining wall sign. (I1.0)
 - Proposed: 391 square feet
 - Required: 300 square feet
 - **Cannot meet the variance requirement as proposed**



9. Billboard Sign Along I-20

a. Variance from Section 9.37 – Billboard Signs to allow a 78-foot-tall billboard sign with a 622.5-square-foot sign face with digital display. (L1.0)

- Proposed: Height - 78 feet; Sign face area - 622.5 square feet
- Required: Height - 65 feet
- Can meet the variance requirement

10. Wayfinding Signs

a. Variance from Section 9.30 – Wayfinding Signs to allow a height of 13 feet and a sign face area of 19.2 square feet, exceeding the city's maximum allowable height of 10 feet and area of 16 square feet.

- Proposed: Height - 12 feet; Sign face area - 19.2 square feet
- Required: Height - 10 feet; Sign face area - 16 square feet
- Can meet the variance requirement

The Future Land Use Plan prescribes “I-20 Gateway Activity Center” as future land uses for the parcels. The intent of the Industrial Activity Center is as follows:

“Enhance entrances into the city from I-20 and facilitate access to goods and services to serve residents and commuters. Create employment opportunities where a location benefits from interstate proximity and available infrastructure. In a most basic form, Gateways serve as the primary entrances into the city, providing access goods and services for both residents and commuters. Gateways are similar to commercial activity centers, with an emphasis on capturing commuter traffic and providing a sense of arrival to Villa Rica. Gateway areas should support a variety of uses, including commercial, mixed use, and office-related developments which also offer employment opportunities. Such development can provide opportunities for hotels similar high intensity developments.”

The existing development pattern in the area aligns with the Comprehensive Plan in terms of intensity and site development. However, the nature of the variance does affect the intent of the Comprehensive Plan, as the activity center is designed to enhance city entrances and create a defined sense of arrival.



Variance Decision Criteria

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

- a) Development Standards Variance. The Council may grant a variance from the development standards of this ordinance (such as height, bulk, area) if, after a public hearing, it makes a determination in writing (consistent with *O.C.G.A. 36-66-1*), that:
- i. General Welfare: The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 - ii. Adjacent Property: The use and value of the area adjacent to the subject property will not be adversely affected in a substantial manner. The value of surrounding properties is not expected to decline or be otherwise negatively impacted by granting the variances.
 - iii. Practical Difficulty: The request does not create a practical difficulty in providing adequate signage for the site. Instead, the applicant is seeking additional signage to enhance visibility for the business and assist visitors with navigation while on the property.

E. Comments

No additional staff Comments.

Recommendation:

Staff recommends **Approval** of the applicant's request to deviate from Sections 9.29, 9.37, and 9.30 of the sign ordinance for the property located at 460 Edge Road as follows:

1. Variance to exceed the city's maximum allowable wall sign size of 300 square feet under Section 9.29 – Wall Signs for the "Peach State Truck Centers" main wall sign. (A1.0)
 - Proposed: 328 square feet
 - Required: 300 square feet
 - Can meet the variance requirement as proposed
2. Variance from Section 9.29 to allow multiple lane identifier wall signs on the East Elevation, consisting of three 4.1' x 4.1' signs for customer wayfinding. (J1.0-1.2)
 - Proposed: 3 signs
 - Required: 1 sign
 - Can meet variance requirement as proposed



3. Billboard Sign Along I-20

a. Variance from Section 9.37 – Billboard Signs to allow a 78-foot-tall billboard sign with a 622.5-square-foot sign face with digital display. (L1.0)

- Proposed: Height - 78 feet; Sign face area - 622.5 square feet
- Required: Height - 65 feet
- Can meet the variance requirement

4. Wayfinding Signs

a. Variance from Section 9.30 – Wayfinding Signs to allow a height of 13 feet and a sign face area of 19.2 square feet, exceeding the city's maximum allowable height of 10 feet and area of 16 square feet.

- Proposed: Height - 12 feet; Sign face area - 19.2 square feet
- Required: Height - 10 feet; Sign face area - 16 square feet
- Can meet the variance requirement

Reasons:

The request complies with Section 9.08(3) of the sign ordinance and remains within the allowable 20% variance limit. It is not expected to negatively impact the surrounding area and will enhance customer navigation around and throughout the property. Given the sheer size of the property and building visibility, approving the above-referenced sign variances appear to be reasonable. It is at the discretion of the City Council as to approval or denial of the remaining variances which “cannot meet the variance requirement as proposed”.

Public Notifications:

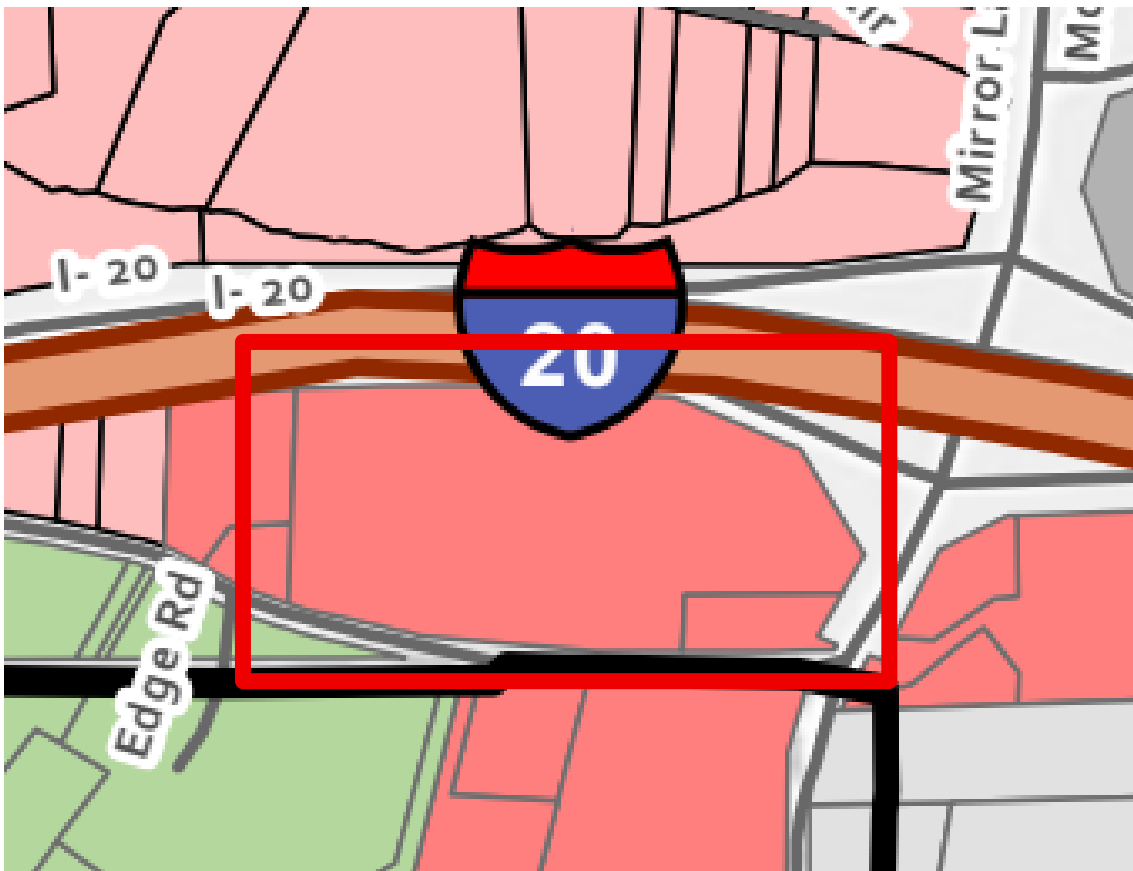
As required by *Section 11.05* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* and the *Douglas County Sentinel* on May 29, 2025, a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

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



Villa Rica Zoning Map

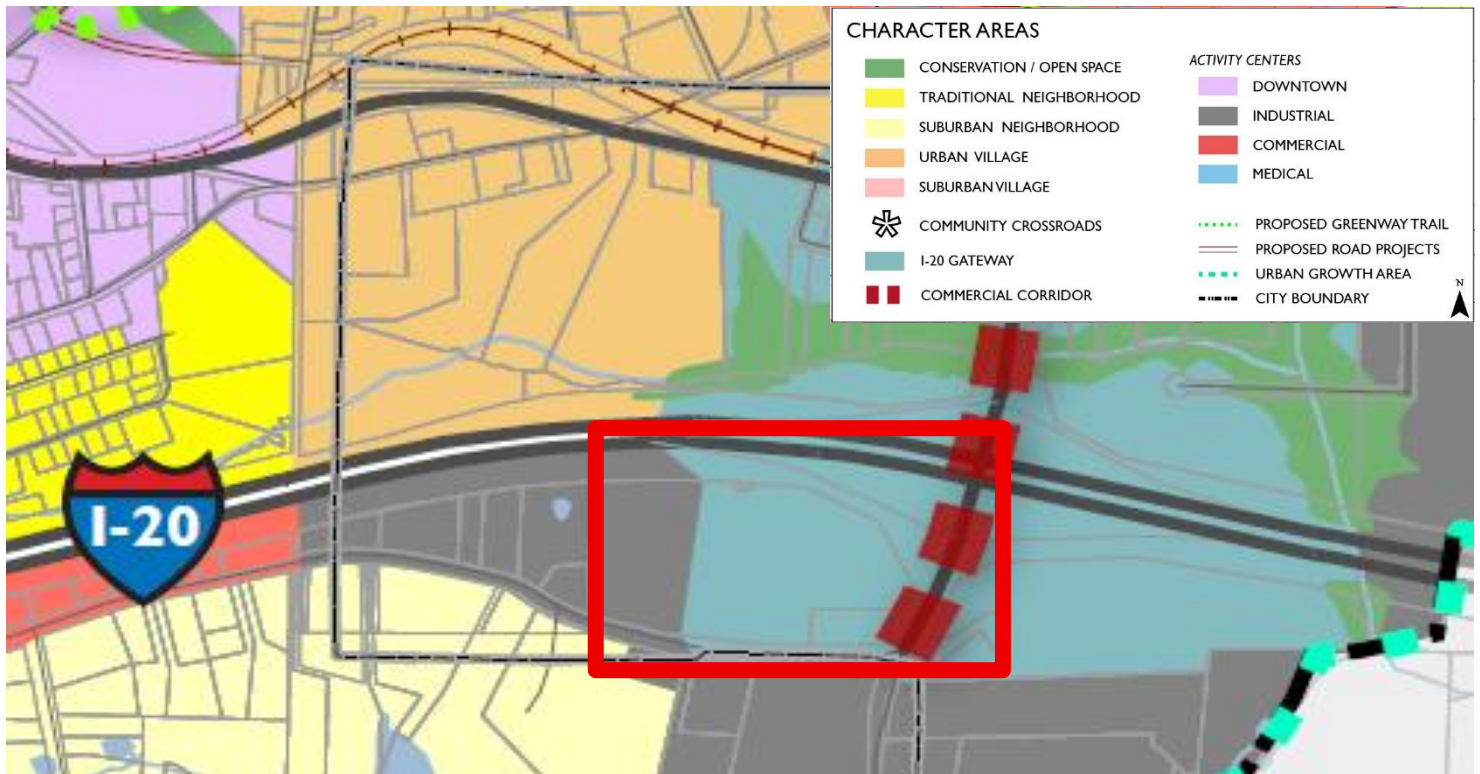


Zoning District Legend

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



Villa Rica Future Land Use Map:



UPDATED LETTER OF INTENT



LETTER OF INTENT AND LIST OF VARIANCES

Peach State Trucks
148,033 S.F. Building
25.883 Acres
May 23, 2025

GENERAL STATEMENT

The Variances requested in this proposal are limited to allowable signage areas and quantities. These requests are the direct result of the large scale of this particular development, the building is approximately 148,000 SF, 45' tall at the highest point and covers more than 20 acres. If this property were developed with multiple tenants or even multiple smaller scale developments as is typical for a property over 20 acres the allowable signage for the property would far exceed this request. We believe the success of our business is in some part based on the signage being at a scale that will allow us to compete visually with other smaller sized buildings. Signage that is of an appropriate size and proportion to be discernible and effective a distance from the highway and surrounding roadways for potential patrons is paramount to our business. Our property has 3 frontages, I-20, Liberty Road and Edge Road is another reason we are requesting some leeway to allow for an appropriate amount of signage to reach our customers and assist with general wayfinding in and around the property as well as, in and around the building.

The billboard sign along the I-20 ROW Line is to assist our customers, the majority of which are traveling the I-20 Interstate, a visual indicator that they are approaching the facility to alleviate any unwanted turnarounds due to missing the exit ramp from the highway. The Pilot next door currently has a pylon sign that is similar in height and scale to our request.

While we understand the need for a jurisdictional ordinance to limit signage area, height and quantities on single developments, we believe the size and scale of our facility creates our hardship and if approved we do not believe the end result would be outside of what the ordinance would allow if these 20 plus acres were developed with multiple smaller scale developments.

LIST OF REQUESTED VARIANCES

East Elevation

1. Variance to allow the "Peach State Truck Centers" main wall sign to be (38.2' x 8.6' = 328 sq. ft.) which exceed the city's maximum allowable size of 300 sq. ft. for wall signs under Section 9.29 – Wall Signs.
2. Variance from Section 9.29 to allow multiple wall signs on the East Elevation, the "Service Write-up," "Parts Sales," and "Truck Sales" all signs are strategically placed as way finding for customers.
3. Variance from Section 9.29 to allow multiple wall signs on the East Elevation, the three (3) 4.1' x 4.1' lane identifier signs are placed as way finding for customers.

South Elevation

4. Variance from Section 9.29 to allow multiple wall signs on the South Elevation, the three (3) 4.7' x 4.7' "PARTS WILL CALL" and "TRAILER DROP" signs are placed for customer way finding.

North Elevation

5. Variance from Section 9.29 to allow multiple wall signs on the North Elevation, all proposed signs ("Freightliner," "Thomas," "Cummins," etc.) identify the Manufactures represented at this facility.

West Elevation

6. Variance from Section 9.29 to allow multiple wall signs on the West Elevation, the "PARTS WILL CALL" and "DRIVE THRU" signs are strategically placed as wayfinding into the building for customers.

Ground Mounted Wayfinding

7. Request for Planning Commission approval for the three (3) proposed wayfinding signs

Retaining Wall Sign

8. Variance to allow the "Peach State Truck Centers" retaining wall sign to be (40' x 9.' = 360 sq. ft.) which exceed the city's maximum allowable size of 300 sq. ft. for wall signs under Section 9.29 – Wall Signs.

Billboard Sign Along I-20 ROW

9. Variance from Section 9.37 – Billboard Signs to allow a 78' Billboard Sign with a (30' x 20.75' = 622.5 SF) sign face with digital display.

Wayfinding Signs

10. Variance from Section 9.30 – Wayfinding Signs to allow 12 feet in height and 19.2 feet in area, which exceeds the city's maximum allowable square feet of 16 and height of 10 feet.

WRITTEN ANALYSIS FOR VARIANCES

1. *Where a literal application of this chapter, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted by the City Council in accordance with the standards and procedures articulated in Section 11.06 of the Villa Rica Zoning Ordinance.* – As outlined in our General Statement, the special circumstance for these variance requests are the size and scale of our development.
2. *No variance shall be granted to the height of a sign which increases the height of the sign by more than twenty (20) percent of that allowed by this chapter.* – No Variance Request exceeds this requirement

3. *No variance shall be granted, which increases the size of a sign by more than twenty (20) percent of that allowed by this chapter.* – No Variance Request exceeds this requirement
4. *No variance shall be granted to increase the size or height of a banner, sidewalk, wayfinding, construction or standard informational signage.* – No Request being made relevant to this requirement.

We respectfully request your consideration of our request and look forward to getting our business up and running in the City of Villa Rica.

Thank You,



Steven T. Ellis
Senior Vice President
PRO Building Systems

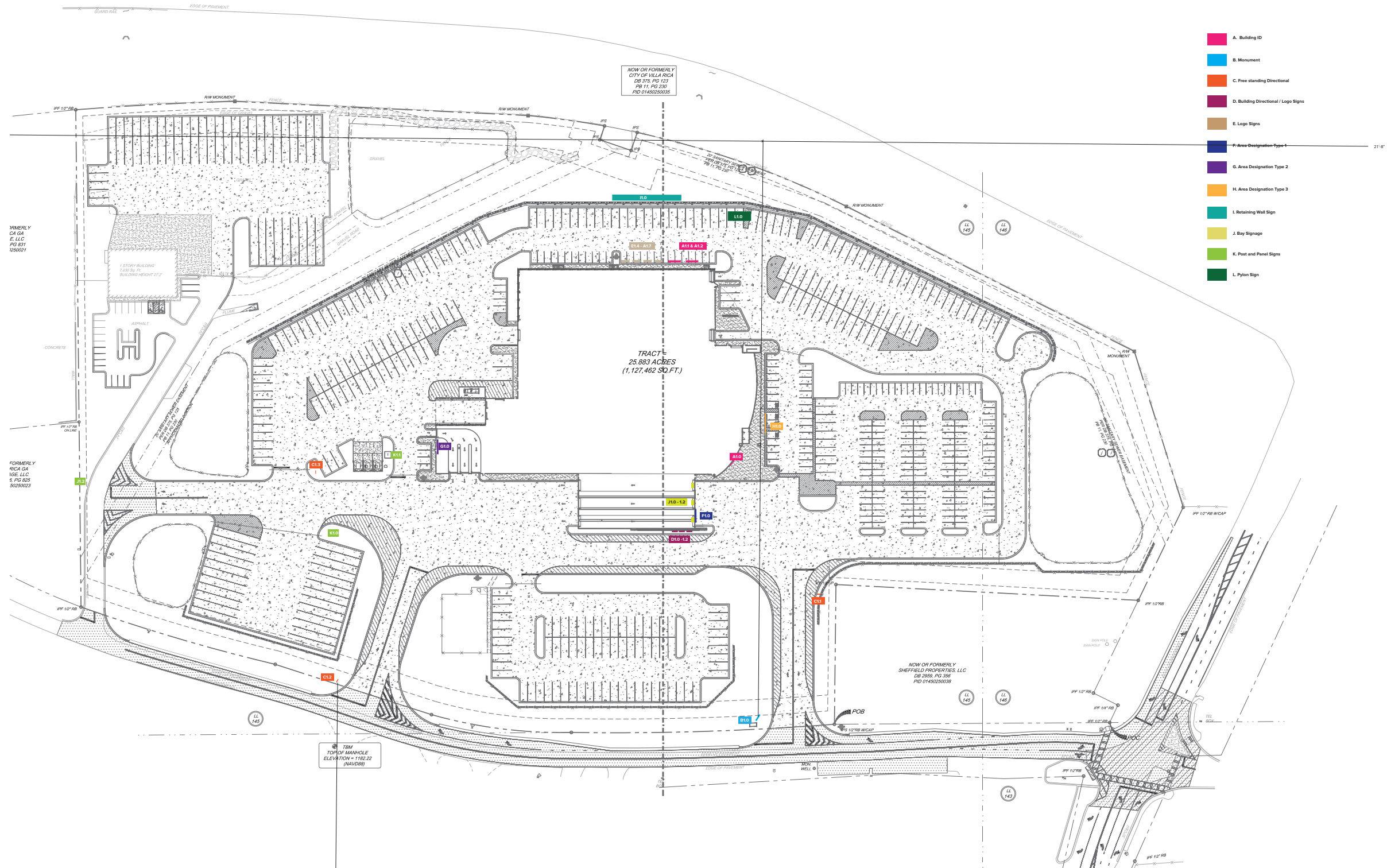
PEACH STATE TRUCK CENTERS

Villa Rica Facility

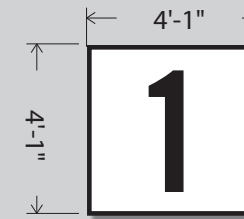
Signage Concepts

05.13.25

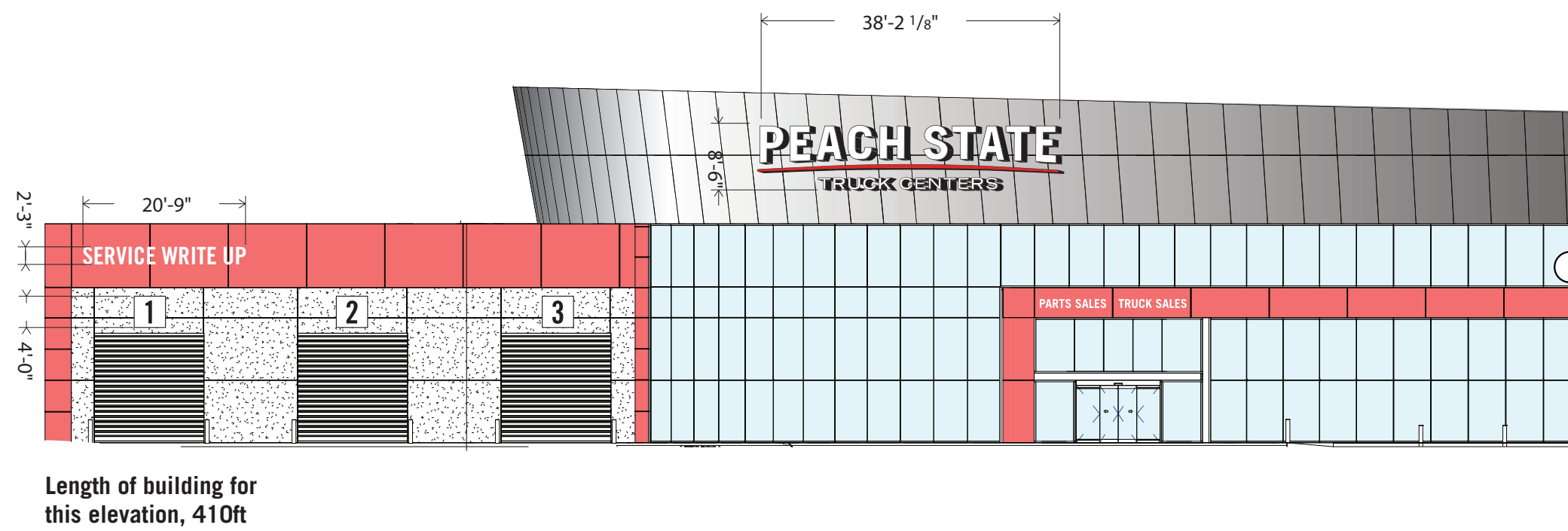
Sign Location Plan



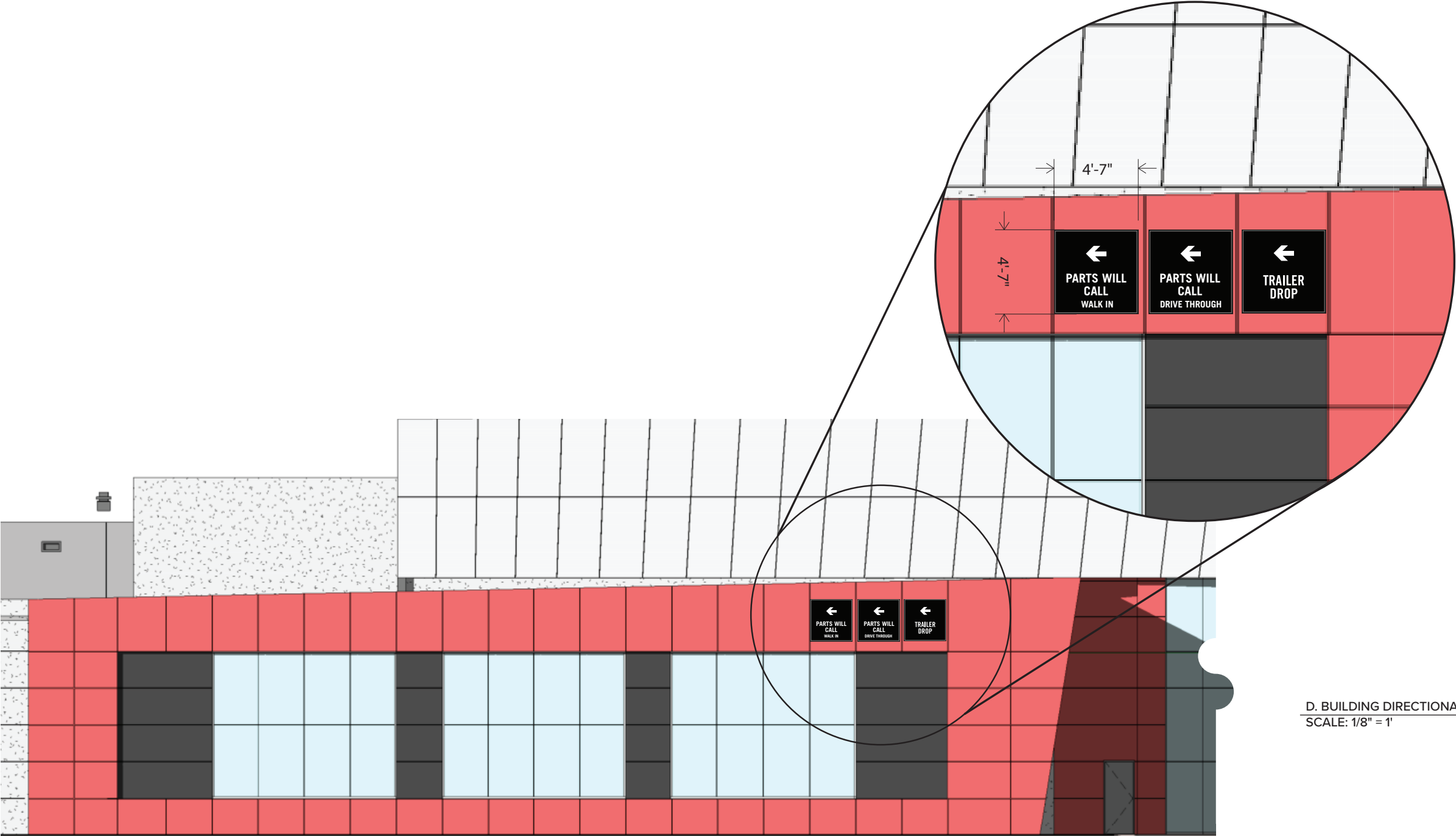




J. BAY SIGNAGE
SCALE: 1/4" = 1'

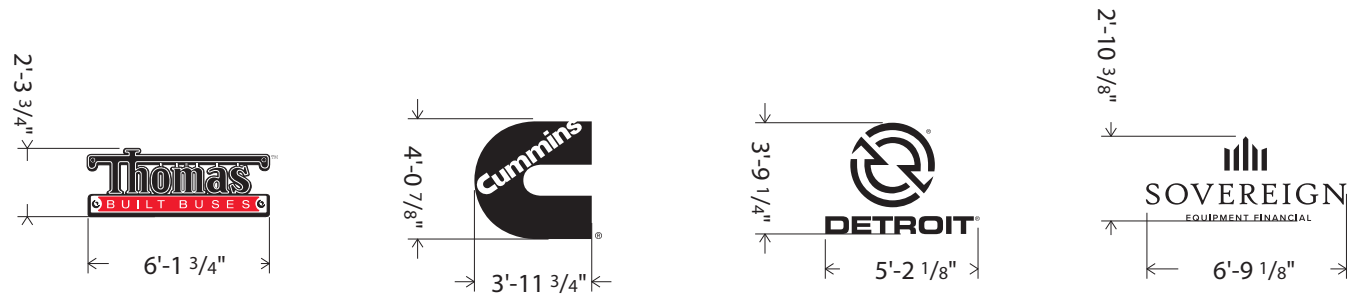


South Elevation



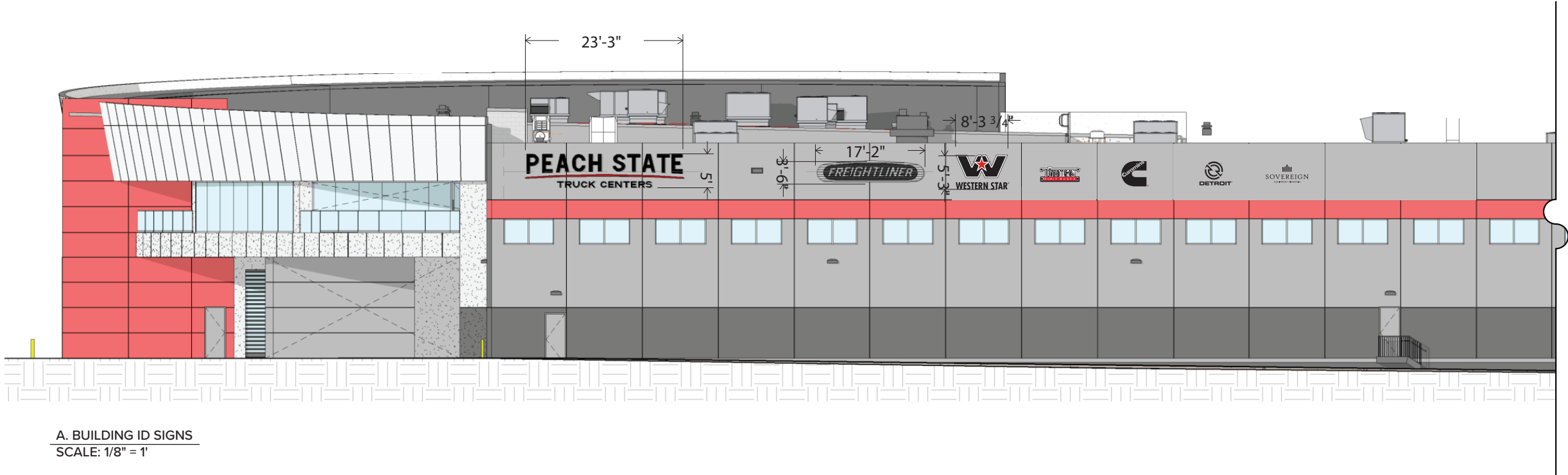
D. BUILDING DIRECTIONAL
SCALE: 1/8" = 1'

North Elevation



E. LOGO SIGNS
SCALE: 3/16" = 1'

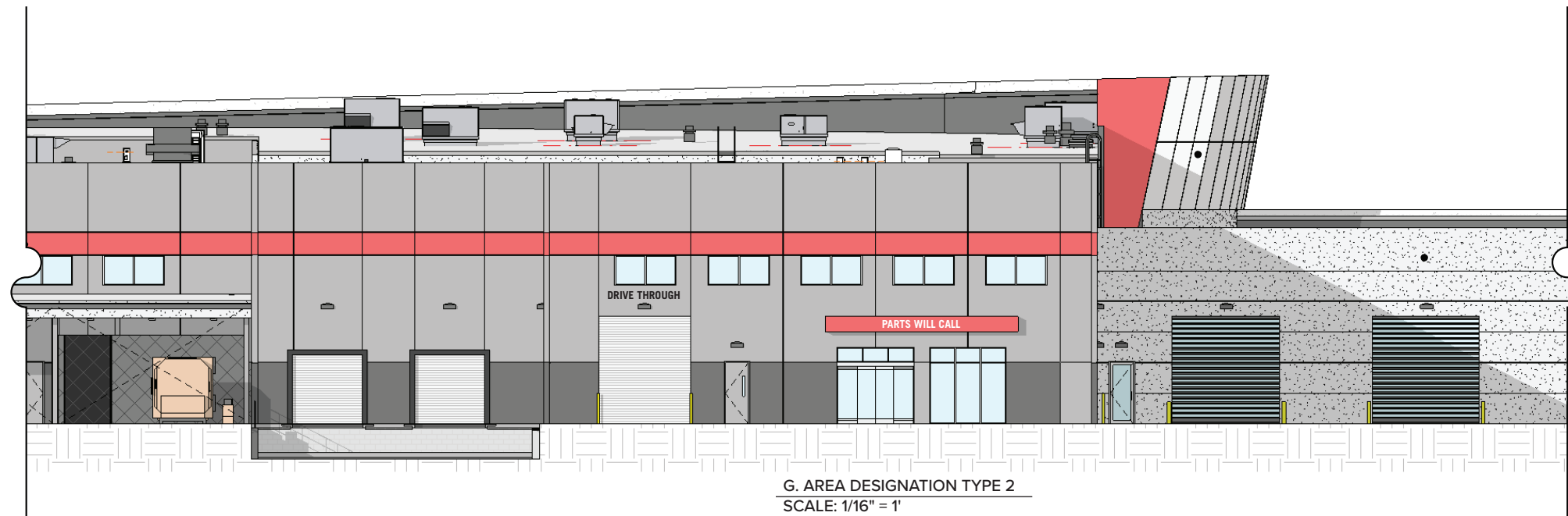
Length of building for
this elevation, 410ft



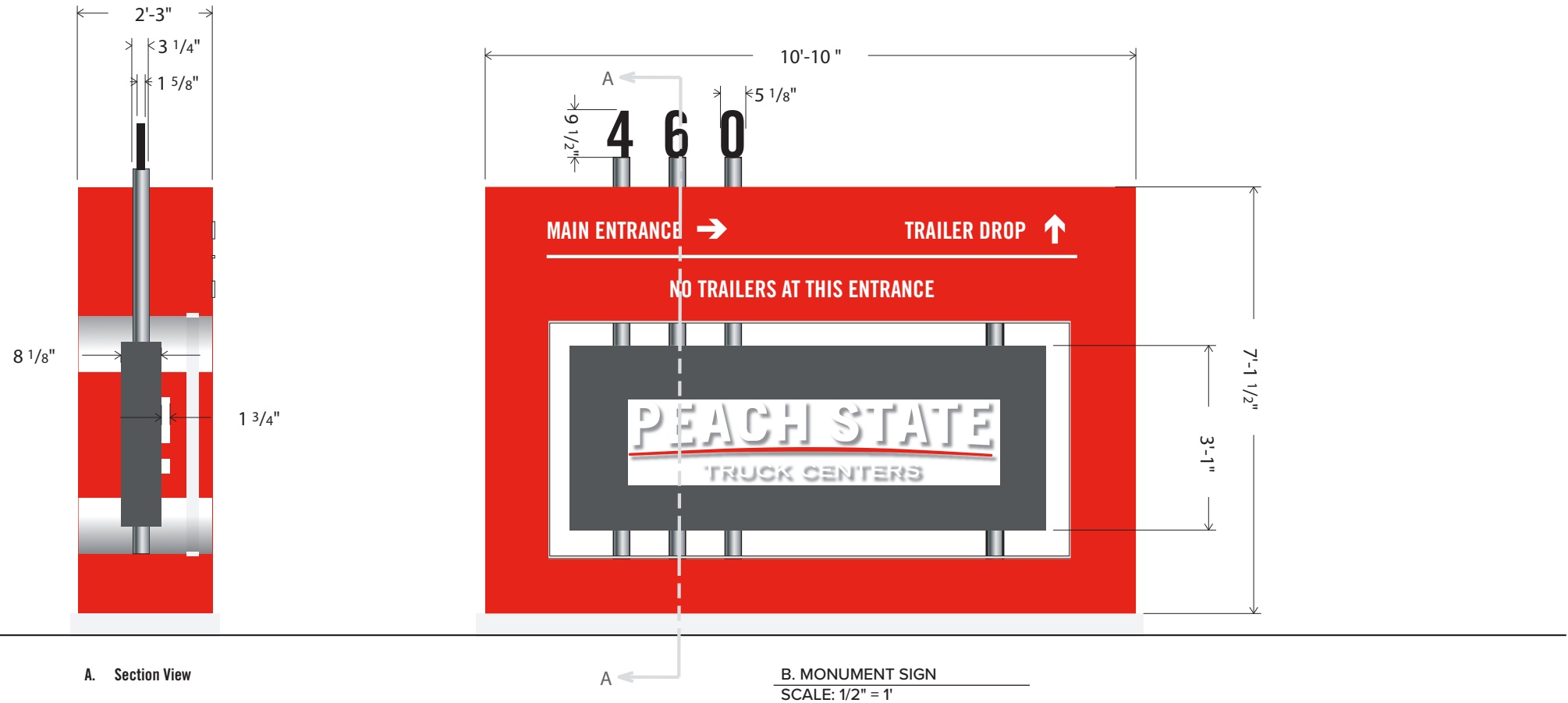
10'-1 7/8"
1'-0 1/4"
PARTS WILL CALL

G. AREA DESIGNATION TYPE 2
SCALE: 3/8" = 1'

9'-3 3/4"
1'-0 1/4"
DRIVE THROUGH



Fabricated aluminum structure with brushed aluminum poles that allow the center portion to float in the center of the structure. The outer structure would feature a lighting element that encircled the interior of the shape.



4 6 0

MAIN ENTRANCE →

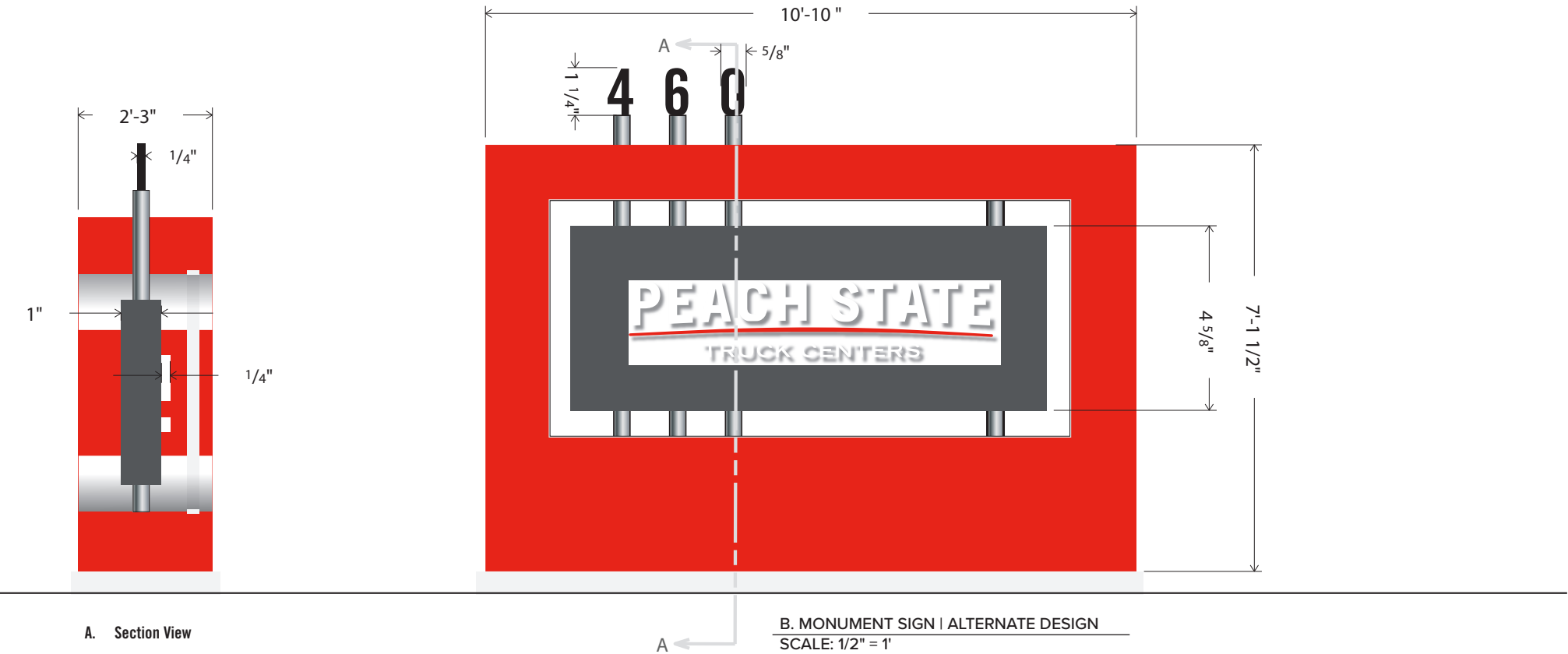
TRAILER DROP ↑

NO TRAILERS AT THIS ENTRANCE

PEACH STATE
TRUCK CENTERS



Fabricated aluminum structure with brushed aluminum poles that allow the center portion to float in the center of the structure. The outer structure would feature a lighting element that encircled the interior of the shape.

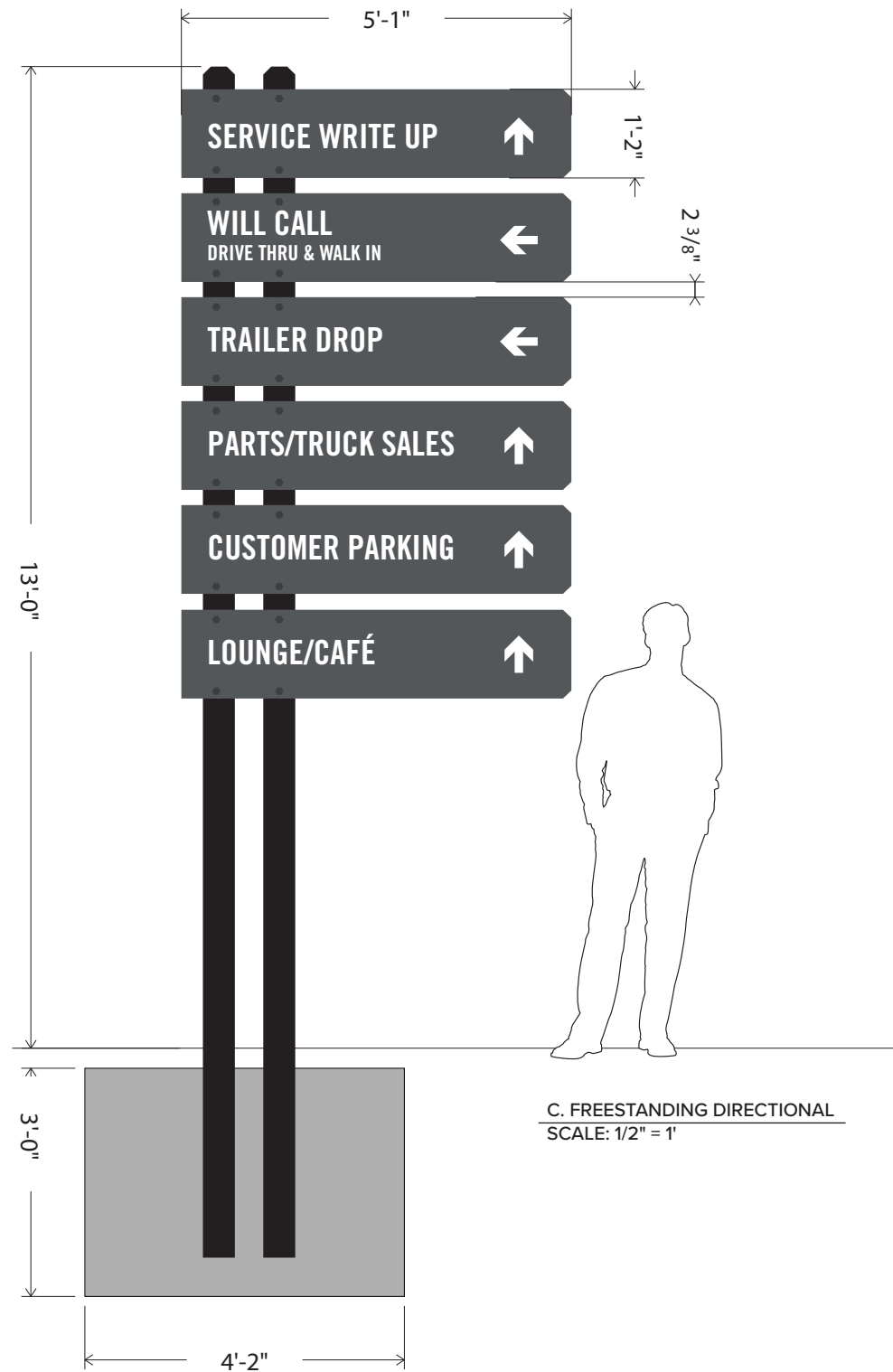


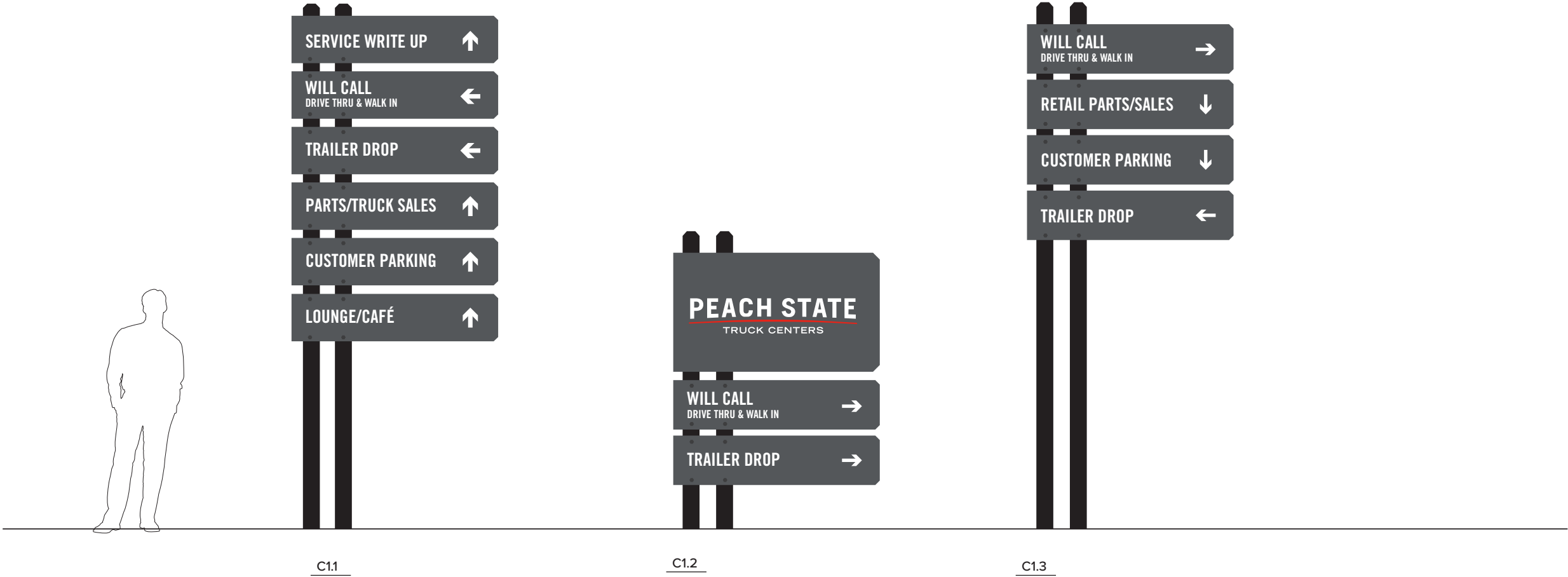
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PEACH STATE

TRUCK CENTERS

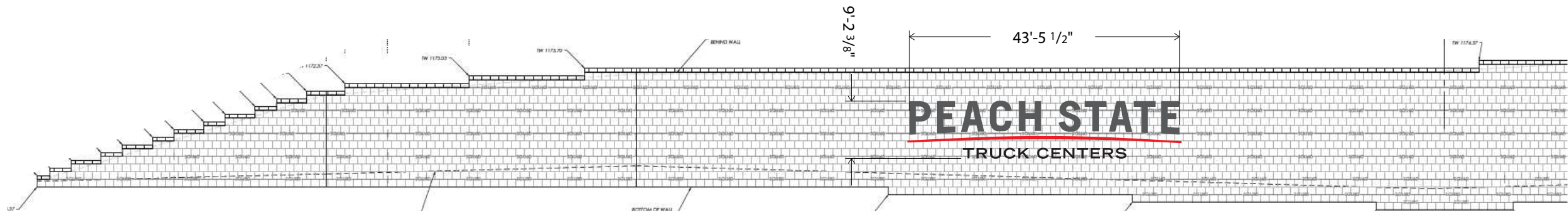








I. PYLON SIGN
SCALE:NTS



L. RETAINING WALL SIGN
SCALE:NTS



City of Villa Rica Planning and Zoning Department

206 North Avenue | Villa Rica, Ga 30180

678-785-9995 | www.Villarica.org

VARIANCE OR APPEAL APPLICATION



CHECKLIST

Required Materials to Accompany the Application

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

Variance:

- Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- A site plan demonstrating the requested variance, showing the affected property, adjacent property, zoning, and existing land use.
- A statement of why the variance is necessary.
- A statement as to how the applicant's request satisfies each required finding.
- A listing of the owners of property within 250 feet of the subject property and the mailing addresses for said owners on file with the County Assessor; and
- Any other exhibits may be required by the Community Development Director.

Appeals from Staff Determinations:

- Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- A statement as to why the applicant believes the Staff's determination is contrary to the intent and requirements of the Code; and
- Any other exhibits may be required by the Community Development Director.

Variance by Use Type

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



City of Villa Rica

☐ APPEAL ☒ VARIANCE

The procedure for requesting a Variance or filing an Appeal is set forth in Section 606 of the City of Villa Rica Zoning Ordinance. Generally, the amendment process involves review by the Community Development Manager and City Council.

Date of Application: 04/28/2025

Applicant Name: Skyler Evans

Address: 725 Bankhead Highway City: Carrollton State: GA Zip: 30117

Phone: 678-416-2537 Email: SkylerEvans05@gmail.com

Agent Name: Robert Scott Lewis

Address: 285 Tom Reeve Drive City: Carrollton State: GA Zip: 30117

Phone: 770-280-5738 Email: SLewis@L5DevelopConcepts.com

Owner Name (If different from applicant): Carroll Properties, LLC - Skyler Evans

Address: 725 Bankhead Highway City: Carrollton State: GA Zip: 30117

Phone: 678-416-2537 Email: SkylerEvans05@gmail.com (Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application)

VARIANCE OR APPEAL INFORMATION

Address of Variance or Appeal Location: 615 Industrial Blvd., Villa Rica, GA

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

Please see the attached page for signature.

Signature of Applicant

04/28/2025

Date



City of Villa Rica

APPEAL VARIANCE

The procedure for requesting a Variance or filing an Appeal is set forth in Section 606 of the City of Villa Rica Zoning Ordinance. Generally, the amendment process involves review by the Community Development Manager and City Council.

Date of Application: 04/28/2025

Applicant Name: Skyler Evans

Address: 725 Bankhead Highway City: Carrollton State: GA Zip: 30117

Phone: 678-416-2537 Email: SkylerEvans05@gmail.com

Agent Name: Robert Scott Lewis

Address: 285 Torn Reeve Drive City: Carrollton State: GA Zip: 30117

Phone: 770-280-5738 Email: SLewis@t5DevelopmentConcepts.com

Owner Name (if Parent for application): Carroll Properties, LLC - Skyler Evans

Address: 725 Bankhead Highway City: Carrollton State: GA Zip: 30117

Phone: 678-416-2537 Email: SkylerEvans05@gmail.com (Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application)

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

Signature of Applicant

04/28/2025

Date

Community Development, City of Villa Rica, 206 North Ave., Villa Rica, GA

Dear Community Development and City Council Members,

I am writing to request a variance in the Landscape Buffer requirements as outlined in the City of Villa Rica's zoning regulations as more specifically shown herein. The unique characteristics of the property in question, including its topography and required parking dimensions, present challenges that make strict compliance with the current landscape buffer requirements impractical.

A variance is necessary to accommodate the specific conditions of the site while still ensuring that the overall intent of the landscaping regulations is met. Granting this variance will allow for a more sustainable development approach, promoting both aesthetic appeal and environmental stewardship without compromising the integrity of the surrounding area.

The current owner wishes to maintain the city standards for parking and drive aisle dimensions while also enhancing the perimeter fence on the north side of the property to include added opacity for improved privacy and visual screening.

Also, the owner seeks to enhance the visibility of inventory display parking along Industrial Boulevard and is committed to landscaping with small shrubs and groundcover that will not obstruct the view of the displayed vehicles.

And finally, the owner requests a reduction of the required 5% parking landscape area to minimize site disturbance, allowing for a greater preservation of the undisturbed area at the rear of the development, while keeping a desired number of vehicle inventory spaces.

For clarification, the intended use of the project is for a certified used car sales and service facility, featuring inventory parking for over 200 vehicles. The grounds will be consistently maintained to ensure a presentable appearance for potential vehicle purchase clients and will never facilitate any storage for vehicles requiring body work.

Thank you for considering this request. I look forward to your support in facilitating a solution that benefits both the community and the proposed development.

Sincerely, R. Scott Lewis,

285 Tom Reeve Drive, Carrollton GA 30117 – Stewis@L5Developconcepts.com – 770-280-5738

The required variances, along with their corresponding section numbers, are listed below.

#1 - 10' Landscape Buffer on the North Property Line between C2 and C1 Zonings.

- [Sec. 7.05. - Landscaping standards.](#) - Sec. 7.05(6)(a) *Perimeter Landscaping for Off-Street Parking Areas.*
 - *Parking areas adjacent to other developed parcels shall require a planting area that is a minimum ten (10) feet in width.*

#2 - 20' Landscape Buffer along Industrial Blvd. on the West side of the Site

- [Sec. 7.05. - Landscaping standards.](#) - Sec. 7.05(6)(a) *Perimeter Landscaping for Off-Street Parking Areas.*
 - *All parking lots, including parking spaces (excluding interior drives and loading/unloading areas), shall be separated from all public or private street rights-of-way by a landscape screen that is a minimum of twenty (20) feet in width.*
-

#3 - Required Landscape Areas in Parking - Required: 7286 s.f., Provided: 3184 s.f.

- [Sec. 7.05. - Landscaping standards.](#) Sec. 7.05(6)(c) - *Interior Landscaping for Off-Street Parking Areas.*
 - *Parking areas (including loading, unloading and storage areas) containing more than twenty-five (25) vehicular parking spaces, shall provide interior landscaping in addition to the previously required perimeter landscaping. Interior landscaping may be contained in peninsulas or islands.*

i) Landscaping area. Five percent (5%) of vehicular use area shall be landscaped

Required Adjacent owners with parcel numbers and mailing address'

Owner Name	Parcel No	Mailing Address
AMERISOUTH PROPERTIES INC	V03 0120376	P O BOX 605 VILLA RICA, GA 30180
AMERISOUTH PROPERTIES INC	V03 0120375	P O BOX 605 VILLA RICA, GA 30180
AMERISOUTH PROPERTIES INC	V03 0120374	P O BOX 605 VILLA RICA, GA 30180
NALLEY PROPERTIES LLC	V03 0120373	2715 HICKORY LEVEL RD VILLA RICA, GA 30180
NALLEY PROPERTIES LLC	V03 0120372	2715 HICKORY LEVEL RD VILLA RICA, GA 30180
LUCILLE STOUFFER BOYCE	V03 0120007	722 THIRD ST VILLA RICA, GA 30180
LARMAC INC	V03 0120008	P O BOX 605 VILLA RICA, GA 30180
LARMAC INC	V03 0120009	P O BOX 605 VILLA RICA, GA 30180
LARMAC INC	V03 0120010	P O BOX 605 VILLA RICA, GA 30180
THOMAS J & PATRICIA T LARGE FAMILY LIMITED PARTNERSHIP	V03 0100011	P.O. BOX 605 VILLA RICA, GA 30180
JACINTO HUERTA	V03 0100012	1157 CHANDLER RD LAWRENCEVILLE, GA 30045
100 SABER PARKWAY LLC	V03 0100052	120 HICKORY SPRINGS INDUSTRIAL DR CANTON, GA 30115
FULL LIFE GOSPEL MINISTRIES INC	V03 0100047	3947 S MARTIN WAY LITHIA SPRINGS, GA 30122

Aerial of proposed site.



eFiled and eRecorded
DATE: 04/17/2023
TIME: 11:20 AM
DEED BOOK: 6153
PAGE: 860 - 861
FILING FEES: \$25.00
TRANSFER TAX: \$2,200.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 0872179815
PARTICIPANT ID: 7067927936
PT61: 022-2023-001594
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

Return Recorded Document to:

Tisinger Vance P.C.
100 Wagon Yard Plaza
Carrollton, GA 30117
File No. 32023M7429
Parcel ID: V03-0120014;0017

**L I M I T E D
W A R R A N T Y D E E D**

**STATE OF GEORGIA
COUNTY OF CARROLL**

THIS INDENTURE made this 14th day of April, 2023, between **Gold City Holdings, LLC**, of the County of Carroll, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **Carroll Properties, LLC**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

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

All that tract or parcel of land lying and being in Land Lots 190 of the 6th District, Carroll County, Georgia, as shown as Tract A, containing 5.332 acres and Tract B, containing 2.960 acres, as shown on a plat of survey entitled "Retracement Survey For Gold City Holdings, LLC," dated February 10, 2023, prepared by Elbert H. Angel, Georgia Registered Land Surveyor No. 1742, and recorded in Plat Book 108, Page 705, Carroll County, Georgia Public Records, which recorded plat is incorporated herein and made a part hereof by this reference.

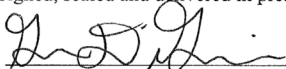
This Deed is given subject to all easements and restrictions of record.

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

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

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

Signed, sealed and delivered in presence of:

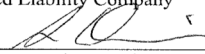


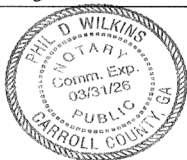
Witness

Gold City Holdings, LLC,
a Limited Liability Company



Notary Public

By:  (SEAL)
Andreas Duin, Member



eFiled and eRecorded
DATE: 03/21/2023
TIME: 1:18 PM
PLAT BOOK: 108
PAGE: 705 - 705
FILING FEES: \$10.00
PART ID: 9262935542
RECORDED BY: WT
Alan J. Lee
Carroll County, GA

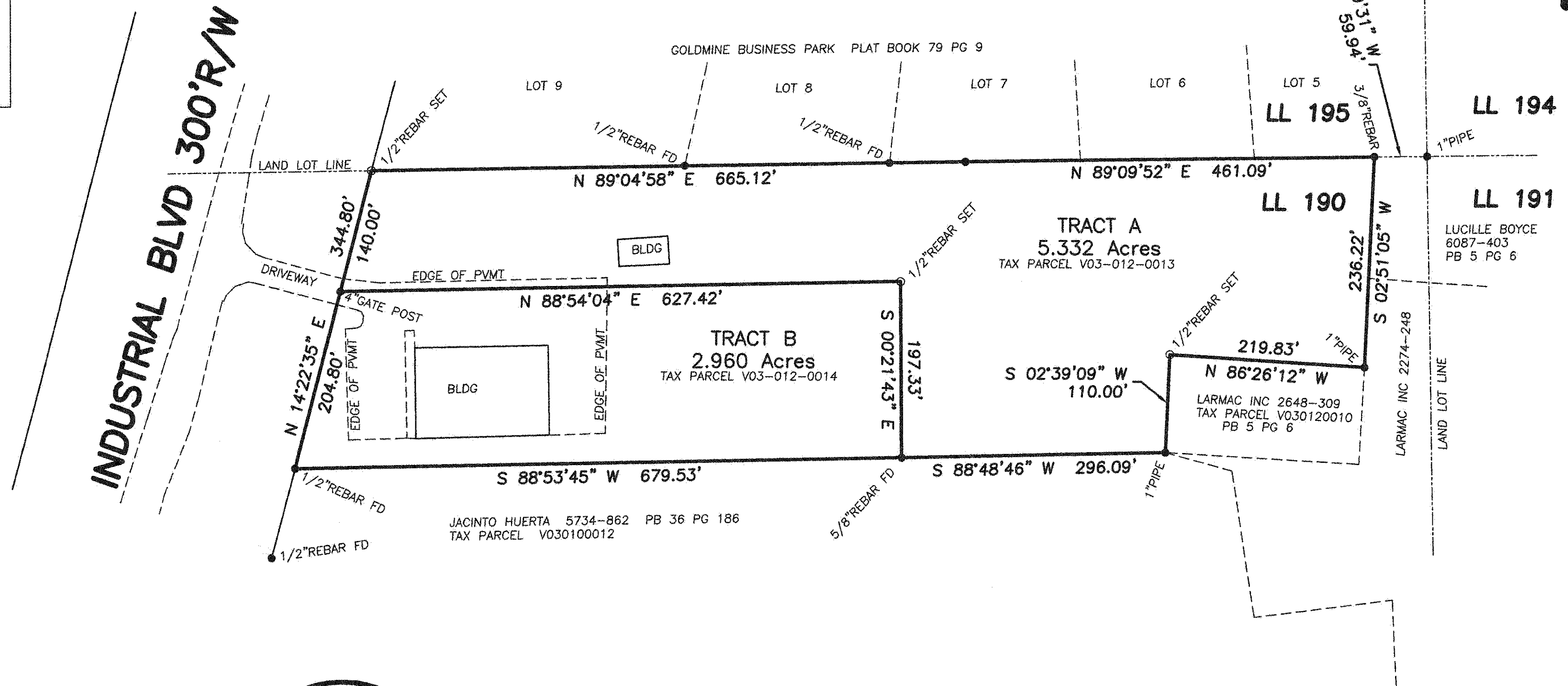
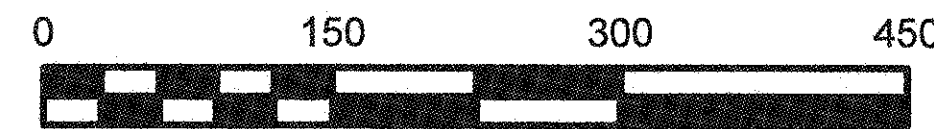
DATE OF FIELD WORK: FEBRUARY 2023
THIS SURVEY AUTHORIZED BY: DEMPSEY AUCTION CO
CURRENT TAX RECORDS SHOW OWNER AS:
GOLD CITY HOLDINGS, LLC
REF DEED: 4805-230 REF PLAT: 35-189
THIS SURVEY AUTHORIZED BY: DEMPSEY AUCTION CO

● = MONUMENT FOUND AS NOTED
○ = 1/2" REBAR SET

RETRACEMENT SURVEY FOR

GOLD CITY HOLDINGS, LLC
BEING IN LAND LOT 190 6th LAND DISTRICT
CARROLL COUNTY GEORGIA

SCALE 1" = 150' PLAT DATE: FEBRUARY 10, 2023



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 hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and is set forth in O.C.G.A. Section 15-6-67



ELBERT H. ANGEL
GEORGIA REG. LAND SURVEYOR - 1742
958 ADAMS ROAD
CEDARTOWN, GA. 30125
(770) 748-0419
angelsurveying@msn.com

Elbert H. Angel 10 Feb 2023
Elbert H. Angel Georgia RLS #1742 DATE

This plat has been calculated for closure and is found to be accurate within one foot in 303,788 feet.

The field data upon which this plat is based was collected by GPS observations using a Carlson BRx7 dual frequency receiver/rover running Carlson SurvCE software. Relative positional accuracy: < 0.04' (95% confidence level)

NOTE:

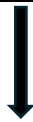
This plat is subject to all easements, matters of title, rights-of-way and local government approval.

JOB No. 23-010 / V03-012-0014 / PLAT# P-23-012



PROCESS

Pre-Application Conference
(Optional)



Application Filed with Department

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



City Council Hearing

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



DENIAL

City Council Action

APPROVAL



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: VA-03-25 – Skyler Evans is requesting three (3) variances, deviating from the following section: Section 7.05 Landscaping Standards. The project is located at 615 Industrial Blvd., within Ward 2, and zoned Commercial Medium Density (C2). **This is a Public Hearing.**

AGENDA DATE: June 26, 2025

MEETING DATE: July 8, 2025

PREPARED BY: Brecca R. Carter, Interim Community Development Director

PUBLIC HEARING: YES

PURPOSE:

The applicant is requesting to deviate from three (3) variances per *Section 7.05 Parking Area Landscaping and Interior Landscaping for Off-Street Parking Area*. The property has consists of 8.29+/- acres and the use proposed is for a car dealership. The proposed Site Plan, Letter of Intent, and staff report are attached for your reference.

BACKGROUND:

The subject property consists of two parcels, located along Industrial Blvd., with frontage along Highway 101. Currently zoned as Industrial, Low Density (I1), both tracts, contain existing structures. The main structure spans approximately 10,050 square feet, while an additional 1,200-square-foot building is also present. Accessory features include: A 240-square-foot canopy and concrete/steel loading ramp area and an open-air accessory structure with a roof supported by wooden beams.

In August 2024, the City Council approved a rezoning for 615 Industrial Blvd. and Parcel # V03 0120017, shifting the designation from Industrial Medium-Density (I2) to Commercial Medium-Density (C2). The variances are intended to address specific landscaping requirements that may impact site functionality while ensuring compliance with the city's zoning and development standards.

STAFF RECOMMENDATION:

Staff recommends adjustments to two (2) of the three (3) variances proposed, and approval of one (1) variance request for property located at 615 Industrial Blvd. as follows:

1. Variance from *Section 7.05(6)(a) Parking Area Landscaping*
 - Required: Development must have a minimum of 10 feet of Parking areas adjacent to other developed parcels
 - Proposed: Applicant is requesting 3 feet**Staff recommendation: After discussion with the applicant, they are amenable to install 5' and keep the current opaque fence in place for screening**
2. Variance from *Section 7.05(6)(a) Parking Area Landscaping*
 - Required: All parking lots, including parking spaces, shall be separated from all public or private streets rights-of-way by a landscape screen that is a minimum of 20 feet in width
 - Proposed: Applicant requesting 6 feet**Staff recommendation: After further discussion with the applicant, they are amenable to install a 10' wide buffer**
3. Variance from *Section 7.05(6)(c) Interior Landscaping for Off-Street Parking Area*
 - Required: 5% is approximately 7,286sf of interior landscaped area
 - Proposed: 2.18%, which is approximately 3,184sf of interior landscaped area**Staff recommendation: Approval**

On June 17, 2025, the Planning & Zoning Commission voted to Approve two (2) and Deny one (1) of the three (3) variance requests as outlined below:

APPROVED

Variance from *Section 7.05(6)(a) Parking Area Landscaping*

- Required: Development must have a minimum of 10 feet of Parking areas adjacent to other developed parcels
- Proposed: Applicant is requesting 3 feet

Variance from *Section 7.05(6)(a) Parking Area Landscaping*

- Required: All parking lots, including parking spaces, shall be separated from all public or private streets rights-of-way by a landscape screen that is a minimum of 20 feet in width
- Proposed: Applicant requesting 6 feet

DENIED

Variance from *Section 7.05(6)(c) Interior Landscaping for Off-Street Parking Area*

- Required: 5% is approximately 7,286sf of interior landscaped area
- Proposed: 2.18%, which is approximately 3,184sf of interior landscaped area

IMPACT: N/A

MOTION:



Planning & Zoning Commission Meeting: June 17, 2025

City Council Meeting: July 8, 2025

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

Re: Planning Report
Applicant: Skyler Evans
VA-03-25
615 Industrial Blvd.
Land Lot 162, District 6th
Parcel # V03 0120017 & V03 0120014
Acreage: 8.29ac
Ward: 2
Planning Board Member: Andrew Newton
City Council Member: Stephanie Warmoth
City of Villa Rica, Carroll County, Georgia

The applicant, Skyler Evans, is requesting three (3) landscape variances for two (2) tracts at 615 Industrial Blvd, deviating from Section 7.05(a) Landscaping Standards, to accommodate the development of a Scott Evans Car Dealership Superstore. The variances are intended to address specific landscaping requirements that may impact site functionality while ensuring compliance with the city's zoning and development standards.

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

1. Application for a Variance, dated April 28, 2025;
2. Applicant Letter of Intent, dated April 28, 2025, prepared by Scott Lewis;
3. Limited Warranty deed, dated April 14, 2023;
4. Proposed Variance Site Plan, dated April 1, 2025, prepared by Scott Lewis
5. List of Adjacent Property Owners, undated.



615 Industrial Blvd.

VA-03-25

June 17, 2025

A. Existing Conditions

The subject properties are located along Industrial Blvd., just off Highway 101, with approximately 344 feet of collective frontage along Highway 101. Currently zoned as Industrial, Low Density (I1), both tracts contains existing structures.

The surrounding area features a diverse mix of zoning districts:

- To the West: 3rd Street, which consists of Single-Family Urban (R2) residential lots abutting the property.
- To the East: Nature's Own Flowers Baking Company LLC, situated on Industrial Medium-Density (I2) zoned land.
- To the North: Six Commercial, Low-Density (C1) properties, including Dollar General and West Georgia Gymnastic Center.
- To the Northwest: Villa Rica's Gold Dust public park.
- To the South: An undeveloped parcel and Sunbelt Rentals, both located on Industrial, Low-Density (I1) zoned land.

No streams or state waters have been identified on the site, and no easements are present on the preliminary layout or property survey. While the Georgia Department of Transportation is currently conducting road work along Highway 101, the applicant asserts that this project will not impact the two subject parcels.

Surrounding Properties:

TABLE 1 – ADJACENT ZONING AND LAND USE CHARACTER AREAS		
	Current Zoning	Land Use Character Area
North	Commercial Low-Density (C1)	Suburban Village
East	Single-Family Urban (R2)	Traditional Neighborhood
South	Industrial Low Density (I1)	Industrial
West	Industrial Medium-Density (I2)	Industrial & Conservation/ Open Space



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

B. Site History

The City of Villa Rica's Unified Development Code (UDC) initially designated the two subject properties at 615 Industrial Blvd as Light Industrial (LI). During the citywide rezoning effort in 2020, the properties were rezoned to Industrial, Low-Density (I1). In August 2024, the City Council approved a rezoning for 615 Industrial Blvd. and Parcel # V03 0120017, shifting the designation from Industrial Medium-Density (I2) to Commercial Medium-Density (C2). The current application, representing the proposed Scott Evans Dealership, includes a request for landscape buffer variances to support the development.

According to Carroll County's Tax Assessors software (QPublic), the parcels currently contain vacant structures built around 1989. The main structure spans approximately 10,050 square feet, while an additional 1,200-square-foot building is also present. Accessory features include:

- A 240-square-foot canopy and concrete/steel loading ramp area
- An open-air accessory structure with a roof supported by wooden beams, but no walls

The property's operational history includes:

- Ace Hardware (2008)
- 101 Sales & Supplies (2018)
- All Plant Mechanical (until February 2024)



615 Industrial Blvd.

VA-03-25

June 17, 2025

C. Proposed Development

The Scott Evans Used Car Dealership Superstore will be constructed on two tracts at 615 Industrial Blvd, to accommodate the new dealership. The development includes an expansion of the existing 10,050-square-foot structure, consisting of a 10-bay vehicle service area on the south elevation, a Service Area equipped with two glass-window garage bays, and two (2) additional glass-window garage bay doors on the east elevation (rear).

The interior layout will consist of a showroom and reception area, offices and conference room, customer lounge, service area & technician workspace, and parts storage.

This single-phase construction project is expected to take six (6) months to complete. Utility services are already in place, though electrical upgrades may be required. The development will utilize city water and sewer services. Scott Evans currently operates an 11,080-square-foot dealership in Carrollton, GA, further demonstrating its established presence in the automotive retail market.

Flood Plain

This parcel is considered in "Flood Zone X", which is an area of minimal flood hazard. Figure 2, below, indicates the flood zone map:

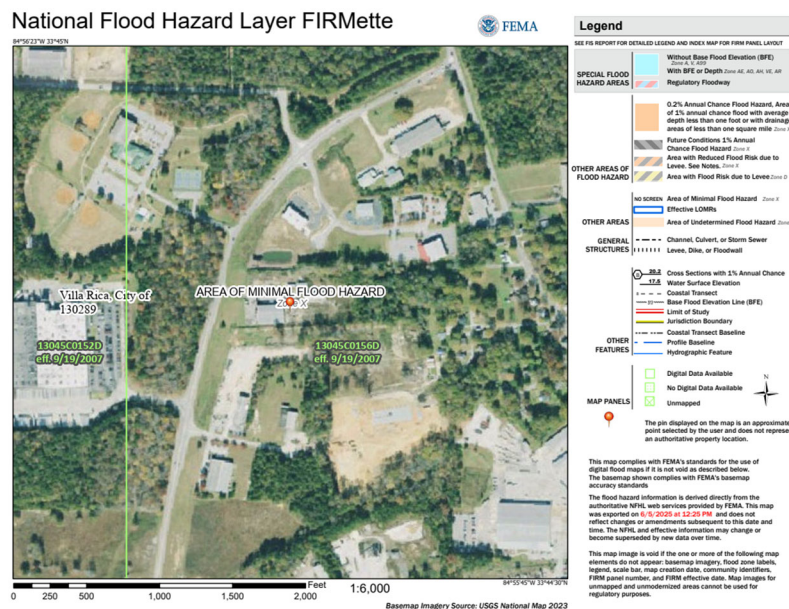


Figure 2: FEMA Flood Map



D. Variances

The developer has requested three (3) variances, relief from 7.05 Landscaping Standards of the Villa Rica Zoning Ordinance, as outlined below. The applicant has stated in the submitted Written Statement that the site has 'unique characteristics' such as topography and parking dimensions, which make the compliance with the landscaping buffer requirements impractical.

The Applicant has requested variance relief for the following:

- Section 7.05(6)(a) *Parking Area Landscaping-*
 - *Perimeter Landscaping for Off-Street Parking Areas. All parking lots, including parking spaces (excluding interior drives and loading/unloading areas), shall be separated from all public or private street rights-of-way by a landscape screen that is a minimum of twenty (20) feet in width. Parking areas adjacent to other developed parcels shall require a planting area that is a minimum ten (10) feet in width.*
- #1 The applicant is requesting a variance from the city's 10-foot minimum landscape strip requirement between adjacent developed parcels. Specifically, the property to the north, which is zoned Commercial Low Density (C1), would receive a reduced 3-foot landscape buffer with an opaque fence to enhance screening measures.
- #2 The applicant is also requesting a variance from the city's required 20-foot landscape screen separating the public street right-of-way. The proposed landscaping screen area would be reduced to a minimum of 6 feet.
- Section 7.05(6)(c) *Interior Landscaping for Off-Street Parking Area-*
 - *Parking areas (including loading, unloading, and storage areas) containing more than twenty-five (25) vehicular parking spaces shall provide interior landscaping in addition to the previously required perimeter landscaping. Interior landscaping may be contained in peninsulas or islands.*
 - *Landscaping area. Five percent (5%) of the vehicular use area shall be landscaped.*
- #3 The applicant has 145,714 square feet of parking area and is required to designate 5% (7,286 square feet) for landscaping. However, the applicant is proposing 3,184 square feet, which accounts for 2.18% of the parking area.

According to the applicant's Variance Request Letter, the purpose of this deviation is to prioritize the preservation of undisturbed land at the rear of the development, which is adjacent to Residential-Family Urban (R2) zoned properties.



615 Industrial Blvd.

VA-03-25

June 17, 2025

Variance Decision Criteria

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

a) Development Standards Variance. The Council may grant a variance from the development standards of this ordinance (such as height, bulk, area) if, after a public hearing, it makes a determination in writing (consistent with *O.C.G.A. 36-66-1*), that:

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

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

The applicant is proposing to install an opaque fence along the border of the subject properties and the adjoining lot to the north. This variance does not appear to have a significantly adverse impact on the surrounding area.

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

According to the applicant's Variance Request Letter, the deviation is intended to preserve more of the undisturbed land at the rear of the development, which is adjacent to Residential-Family Urban (R2) zoned properties. Additionally, the applicant seeks to maximize the parking area near Highway 101 to better accommodate customers, employees, and inventory vehicles.

E. Comments

No Staff comments.



615 Industrial Blvd.

VA-03-25

June 17, 2025

Recommendation:

Staff recommendation:

- Section 7.05(6)(a) Parking Area Landscaping-
 - Required: Development must have a minimum of 10 feet of Parking areas adjacent to other developed parcels
 - Proposed: Applicant is requesting 3 feet
 - **Staff recommendation:** After discussion with the applicant they are ameanable to install 5' and keep the current opaque fence in place for screening
- Section 7.05(6)(a) Parking Area Landscaping-
 - Required: All parking lots, including parking spaces, shall be separated from all public or private streets rights-of-way by a landscape screen that is a minimum of 20 feet in width
 - Proposed: Applicant requesting 6 feet
 - **Staff recommendation:** After further discussion with the applicant, they are ameanable to install a 10' wide buffer
- Section 7.05(6)(c) Interior Landscaping for Off-Street Parking Area-
 - Required: 5% is approximately 7,286sf of interior landscaped area
 - Proposed: 2.18%, which is approximately 3,184sf of interior landscaped area
 - **Staff recommendation:** Approval



615 Industrial Blvd.

VA-03-25

June 17, 2025

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 May 29th and June 5th; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

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

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

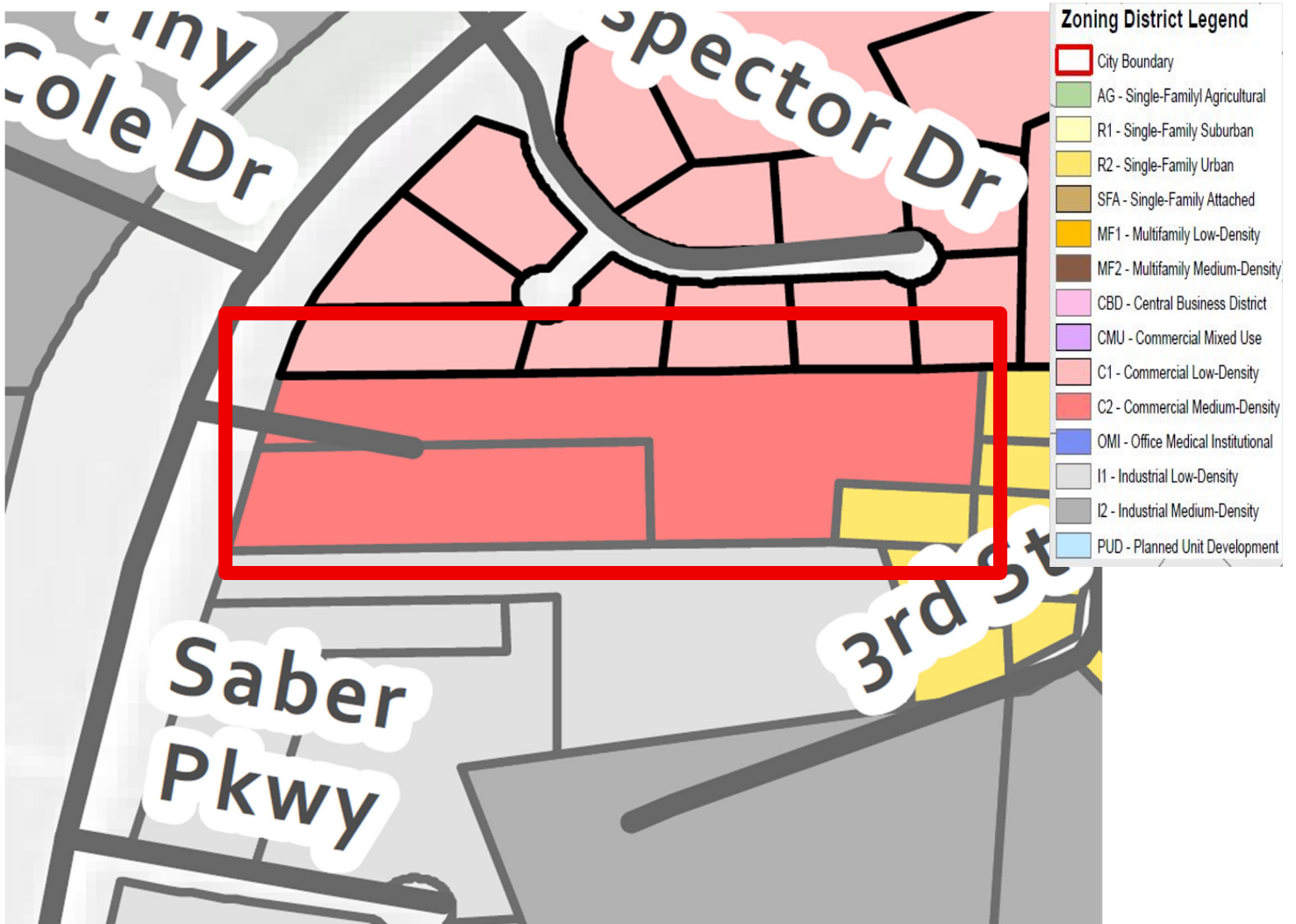


615 Industrial Blvd.

VA-03-25

June 17, 2025

Zoning Map:



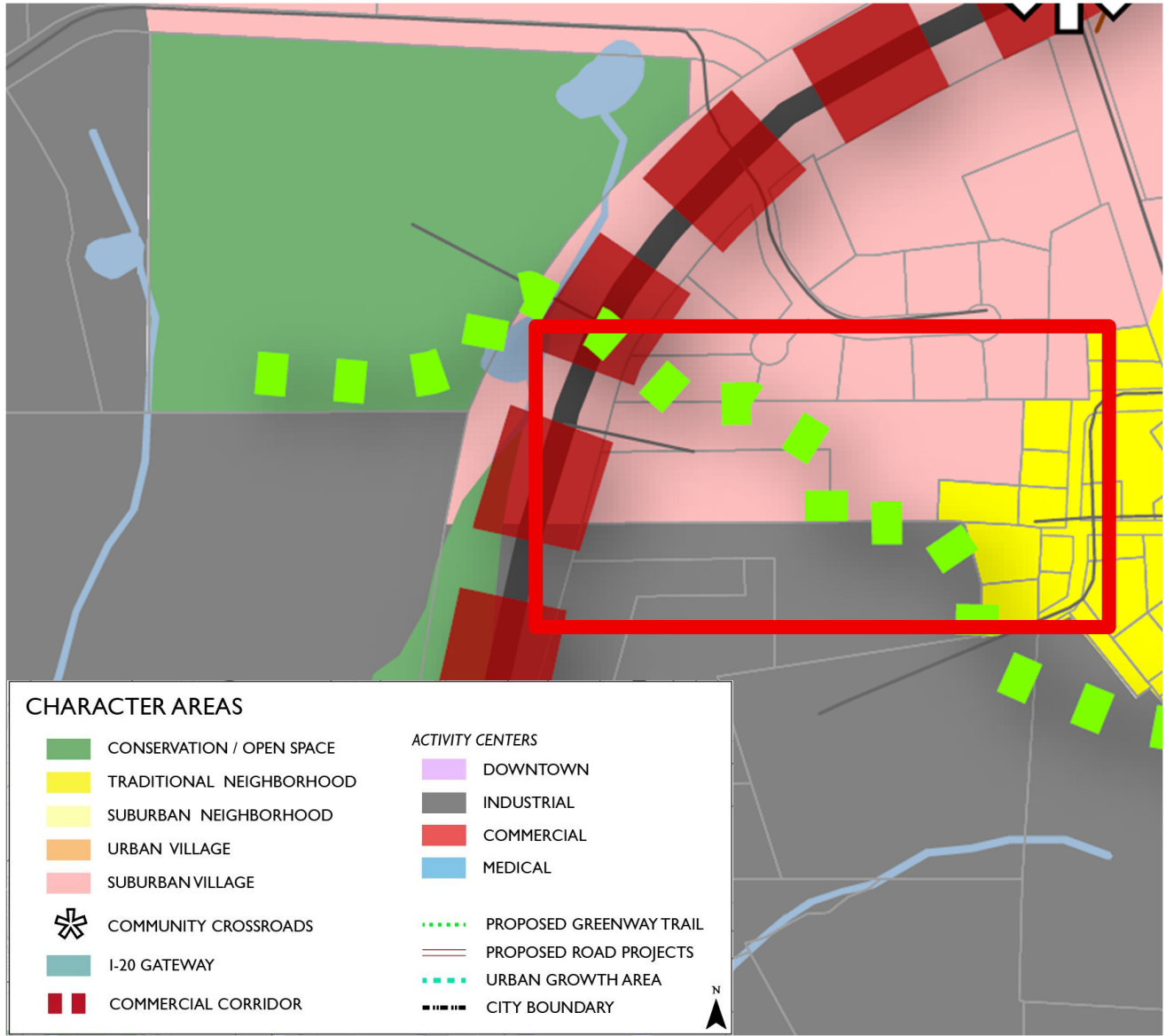


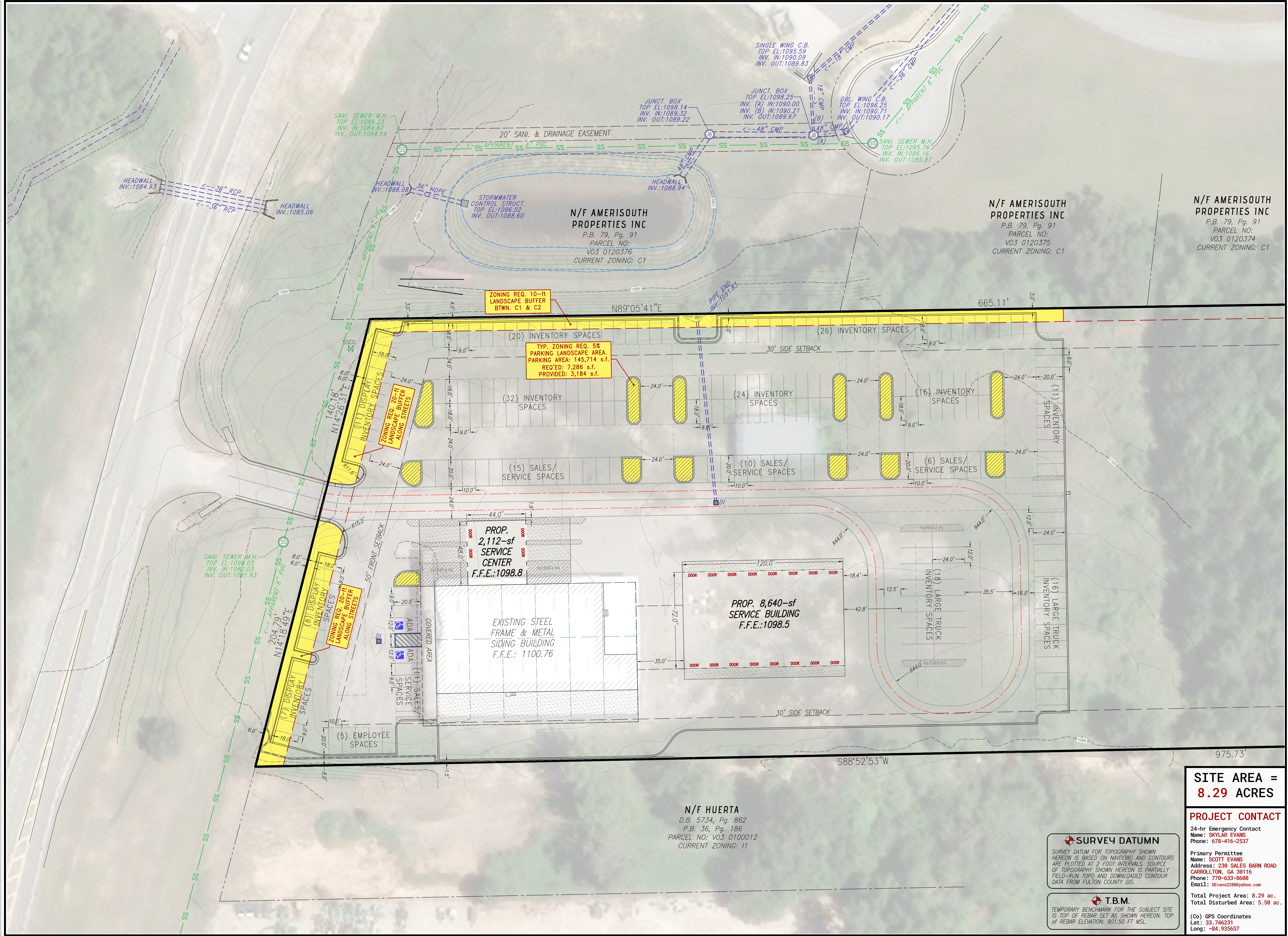
615 Industrial Blvd.

VA-03-25

June 17, 2025

Future Land Use Map:





	LEWIS⁵ DEVELOPMENT CONCEPTS LLC 285 Tom Reeve Drive Carrollton, GA 30117 770-280-5738 Robert S. Lewis Ga. Reg. LS #2789 Level II Cert. Dsgn. #0000029563												
 Call Before You Dig													
SITE TOPOGRAPHIC SURVEY FOR: PROJECT CLIENT: CARROLL PROPERTIES/WILLA RICA 615 INDUSTRIAL BLVD Land Lot 190, Dist. 6TH., CARROLL County, Georgia Being within the City of VILLA RICA SITE ADDRESS: 615 INDUSTRIAL BLVD.													
 Robert S. Lewis Ga. Reg. LS #2789 Level II Cert. Dsgn. #0000029563													
REFERENCED NORTH  NORTH REFERENCED HEREON TO: GRID NORTH-(NAD83) GEORGIA WEST ZONE VEST. DATUM REFERENCED HEREON TO: NAD83(83)													
DATE OF ORIGINAL: 04/01/2024													
DATE LAST REVISED: ORIGINAL PLANS													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="text-align: center;">1</td><td style="font-size: small;">REVISION DESC</td></tr> <tr><td style="text-align: center;">2</td><td style="font-size: small;">REVISION DESC</td></tr> <tr><td style="text-align: center;">3</td><td style="font-size: small;">REVISION DESC</td></tr> <tr><td style="text-align: center;">4</td><td style="font-size: small;">REVISION DESC</td></tr> <tr><td style="text-align: center;">5</td><td style="font-size: small;">REVISION DESC</td></tr> <tr><td style="text-align: center;">6</td><td style="font-size: small;">REVISION DESC</td></tr> </table>		1	REVISION DESC	2	REVISION DESC	3	REVISION DESC	4	REVISION DESC	5	REVISION DESC	6	REVISION DESC
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GRAPHIC SCALE:  Scale: 1" = 30'													
SHEET VAR01													



City of Villa Rica Planning and Zoning Department

206 North Avenue | Villa Rica, Ga 30180

678-785-9995 | www.Villarica.org

VARIANCE OR APPEAL APPLICATION



City of Villa Rica

CHECKLIST

Required Materials to Accompany the Application

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

Variance:

- Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- A site plan demonstrating the requested variance, showing the affected property, adjacent property, zoning, and existing land use.
- A statement of why the variance is necessary.
- A statement as to how the applicant's request satisfies each required finding.
- A listing of the owners of property within 250 feet of the subject property and the mailing addresses for said owners on file with the County Assessor; and
- Any other exhibits may be required by the Community Development Director.

Appeals from Staff Determinations:

- Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- A statement as to why the applicant believes the Staff's determination is contrary to the intent and requirements of the Code; and
- Any other exhibits may be required by the Community Development Director.

Variance by Use Type

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



City of Villa Rica

☐ APPEAL ☒ VARIANCE

The procedure for requesting a Variance or filing an Appeal is set forth in Section 606 of the City of Villa Rica Zoning Ordinance. Generally, the amendment process involves review by the Community Development Manager and City Council.

Date of Application: 04/28/2025

Applicant Name: Skyler Evans

Address: 725 Bankhead Highway City: Carrollton State: GA Zip: 30117

Phone: 678-416-2537 Email: SkylerEvans05@gmail.com

Agent Name: Robert Scott Lewis

Address: 285 Tom Reeve Drive City: Carrollton State: GA Zip: 30117

Phone: 770-280-5738 Email: SLewis@L5DevelopConcepts.com

Owner Name (If different from applicant): Carroll Properties, LLC - Skyler Evans

Address: 725 Bankhead Highway City: Carrollton State: GA Zip: 30117

Phone: 678-416-2537 Email: SkylerEvans05@gmail.com (Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application)

VARIANCE OR APPEAL INFORMATION

Address of Variance or Appeal Location: 615 Industrial Blvd., Villa Rica, GA

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

Please see the attached page for signature.

Signature of Applicant

04/28/2025

Date



City of Villa Rica

APPEAL VARIANCE

The procedure for requesting a Variance or filing an Appeal is set forth in Section 606 of the City of Villa Rica Zoning Ordinance. Generally, the amendment process involves review by the Community Development Manager and City Council.

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VARIANCE OR APPEAL INFORMATION

Address of Variance or Appeal Location: 615 Industrial Blvd., Villa Rica, GA

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

Signature of Applicant

04/28/2025

Date

Community Development, City of Villa Rica, 206 North Ave., Villa Rica, GA

Dear Community Development and City Council Members,

I am writing to request a variance in the Landscape Buffer requirements as outlined in the City of Villa Rica's zoning regulations as more specifically shown herein. The unique characteristics of the property in question, including its topography and required parking dimensions, present challenges that make strict compliance with the current landscape buffer requirements impractical.

A variance is necessary to accommodate the specific conditions of the site while still ensuring that the overall intent of the landscaping regulations is met. Granting this variance will allow for a more sustainable development approach, promoting both aesthetic appeal and environmental stewardship without compromising the integrity of the surrounding area.

The current owner wishes to maintain the city standards for parking and drive aisle dimensions while also enhancing the perimeter fence on the north side of the property to include added opacity for improved privacy and visual screening.

Also, the owner seeks to enhance the visibility of inventory display parking along Industrial Boulevard and is committed to landscaping with small shrubs and groundcover that will not obstruct the view of the displayed vehicles.

And finally, the owner requests a reduction of the required 5% parking landscape area to minimize site disturbance, allowing for a greater preservation of the undisturbed area at the rear of the development, while keeping a desired number of vehicle inventory spaces.

For clarification, the intended use of the project is for a certified used car sales and service facility, featuring inventory parking for over 200 vehicles. The grounds will be consistently maintained to ensure a presentable appearance for potential vehicle purchase clients and will never facilitate any storage for vehicles requiring body work.

Thank you for considering this request. I look forward to your support in facilitating a solution that benefits both the community and the proposed development.

Sincerely, R. Scott Lewis,

285 Tom Reeve Drive, Carrollton GA 30117 – Stewis@L5Developconcepts.com – 770-280-5738

The required variances, along with their corresponding section numbers, are listed below.

#1 - 10' Landscape Buffer on the North Property Line between C2 and C1 Zonings.

- [Sec. 7.05. - Landscaping standards.](#) - Sec. 7.05(6)(a) *Perimeter Landscaping for Off-Street Parking Areas.*
 - *Parking areas adjacent to other developed parcels shall require a planting area that is a minimum ten (10) feet in width.*

#2 - 20' Landscape Buffer along Industrial Blvd. on the West side of the Site

- [Sec. 7.05. - Landscaping standards.](#) - Sec. 7.05(6)(a) *Perimeter Landscaping for Off-Street Parking Areas.*
 - *All parking lots, including parking spaces (excluding interior drives and loading/unloading areas), shall be separated from all public or private street rights-of-way by a landscape screen that is a minimum of twenty (20) feet in width.*
-

#3 - Required Landscape Areas in Parking - Required: 7286 s.f., Provided: 3184 s.f.

- [Sec. 7.05. - Landscaping standards.](#) Sec. 7.05(6)(c) - *Interior Landscaping for Off-Street Parking Areas.*
 - *Parking areas (including loading, unloading and storage areas) containing more than twenty-five (25) vehicular parking spaces, shall provide interior landscaping in addition to the previously required perimeter landscaping. Interior landscaping may be contained in peninsulas or islands.*

i) Landscaping area. Five percent (5%) of vehicular use area shall be landscaped

Required Adjacent owners with parcel numbers and mailing address'

Owner Name	Parcel No	Mailing Address
AMERISOUTH PROPERTIES INC	V03 0120376	P O BOX 605 VILLA RICA, GA 30180
AMERISOUTH PROPERTIES INC	V03 0120375	P O BOX 605 VILLA RICA, GA 30180
AMERISOUTH PROPERTIES INC	V03 0120374	P O BOX 605 VILLA RICA, GA 30180
NALLEY PROPERTIES LLC	V03 0120373	2715 HICKORY LEVEL RD VILLA RICA, GA 30180
NALLEY PROPERTIES LLC	V03 0120372	2715 HICKORY LEVEL RD VILLA RICA, GA 30180
LUCILLE STOUFFER BOYCE	V03 0120007	722 THIRD ST VILLA RICA, GA 30180
LARMAC INC	V03 0120008	P O BOX 605 VILLA RICA, GA 30180
LARMAC INC	V03 0120009	P O BOX 605 VILLA RICA, GA 30180
LARMAC INC	V03 0120010	P O BOX 605 VILLA RICA, GA 30180
THOMAS J & PATRICIA T LARGE FAMILY LIMITED PARTNERSHIP	V03 0100011	P.O. BOX 605 VILLA RICA, GA 30180
JACINTO HUERTA	V03 0100012	1157 CHANDLER RD LAWRENCEVILLE, GA 30045
100 SABER PARKWAY LLC	V03 0100052	120 HICKORY SPRINGS INDUSTRIAL DR CANTON, GA 30115
FULL LIFE GOSPEL MINISTRIES INC	V03 0100047	3947 S MARTIN WAY LITHIA SPRINGS, GA 30122

Aerial of proposed site.



eFiled and eRecorded
DATE: 04/17/2023
TIME: 11:20 AM
DEED BOOK: 6153
PAGE: 860 - 861
FILING FEES: \$25.00
TRANSFER TAX: \$2,200.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 0872179815
PARTICIPANT ID: 7067927936
PT61: 022-2023-001594
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

Return Recorded Document to:

Tisinger Vance P.C.
100 Wagon Yard Plaza
Carrollton, GA 30117
File No. 32023M7429
Parcel ID: V03-0120014;0017

**L I M I T E D
W A R R A N T Y D E E D**

**STATE OF GEORGIA
COUNTY OF CARROLL**

THIS INDENTURE made this 14th day of April, 2023, between **Gold City Holdings, LLC**, of the County of Carroll, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **Carroll Properties, LLC**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

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

All that tract or parcel of land lying and being in Land Lots 190 of the 6th District, Carroll County, Georgia, as shown as Tract A, containing 5.332 acres and Tract B, containing 2.960 acres, as shown on a plat of survey entitled "Retracement Survey For Gold City Holdings, LLC," dated February 10, 2023, prepared by Elbert H. Angel, Georgia Registered Land Surveyor No. 1742, and recorded in Plat Book 108, Page 705, Carroll County, Georgia Public Records, which recorded plat is incorporated herein and made a part hereof by this reference.

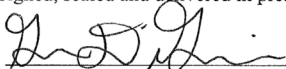
This Deed is given subject to all easements and restrictions of record.

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

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

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

Signed, sealed and delivered in presence of:

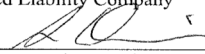


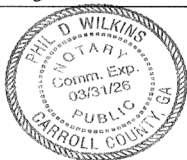
Witness

Gold City Holdings, LLC,
a Limited Liability Company



Notary Public

By:  (SEAL)
Andreas Duin, Member



eFiled and eRecorded
DATE: 03/21/2023
TIME: 1:18 PM
PLAT BOOK: 108
PAGE: 705 - 705
FILING FEES: \$10.00
PART ID: 9262935542
RECORDED BY: WT
Alan J. Lee
Carroll County, GA

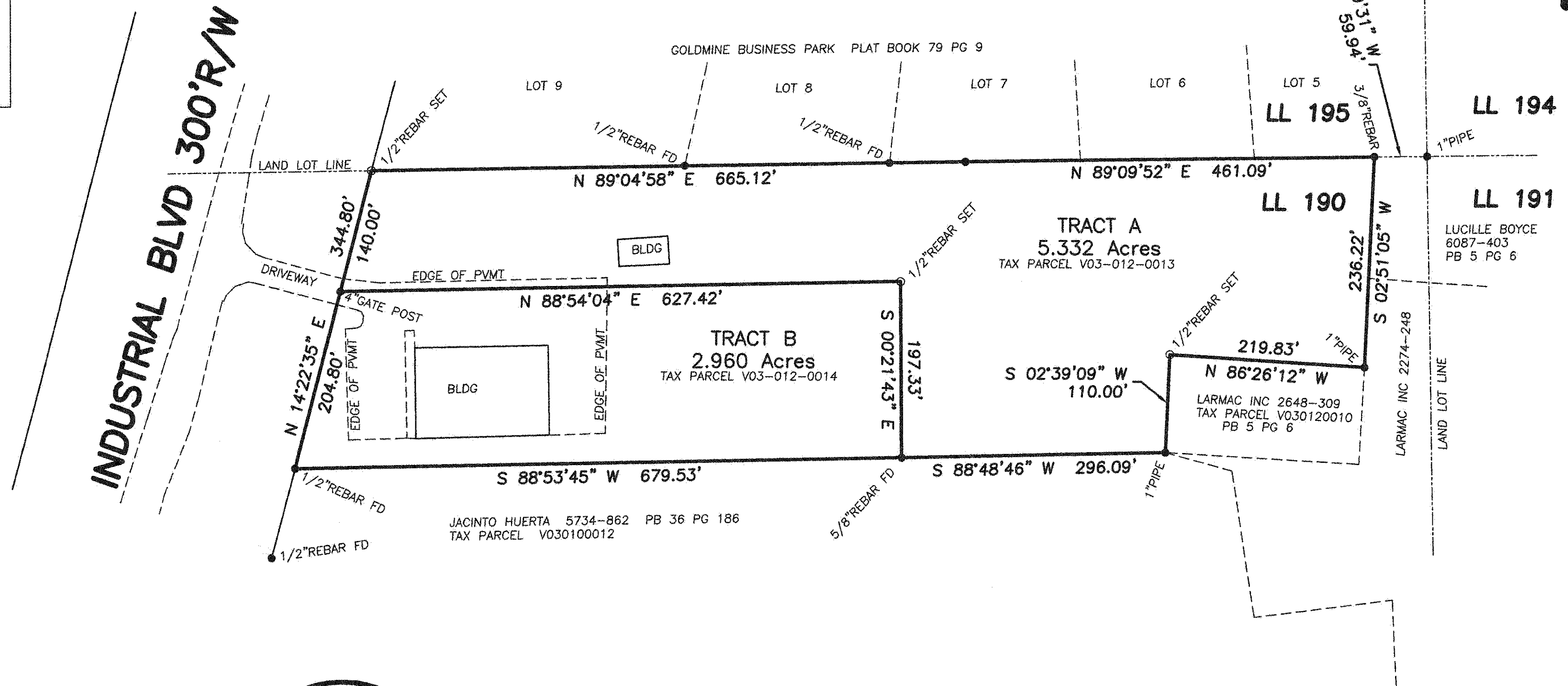
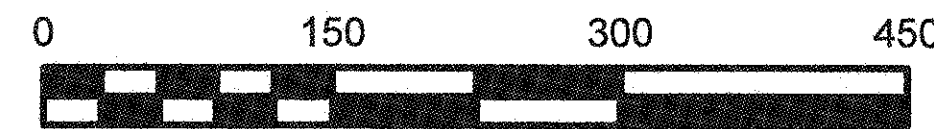
DATE OF FIELD WORK: FEBRUARY 2023
THIS SURVEY AUTHORIZED BY: DEMPSEY AUCTION CO
CURRENT TAX RECORDS SHOW OWNER AS:
GOLD CITY HOLDINGS, LLC
REF DEED: 4805-230 REF PLAT: 35-189
THIS SURVEY AUTHORIZED BY: DEMPSEY AUCTION CO

● = MONUMENT FOUND AS NOTED
○ = 1/2" REBAR SET

RETRACEMENT SURVEY FOR

GOLD CITY HOLDINGS, LLC
BEING IN LAND LOT 190 6th LAND DISTRICT
CARROLL COUNTY GEORGIA

SCALE 1" = 150' PLAT DATE: FEBRUARY 10, 2023



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 hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and is set forth in O.C.G.A. Section 15-6-67



ELBERT H. ANGEL
GEORGIA REG. LAND SURVEYOR - 1742
958 ADAMS ROAD
CEDARTOWN, GA. 30125
(770) 748-0419
angelsurveying@msn.com

Elbert H. Angel 10 Feb 2023
Elbert H. Angel Georgia RLS #1742 DATE

This plat has been calculated for closure and is found to be accurate within one foot in 303,788 feet.

The field data upon which this plat is based was collected by GPS observations using a Carlson BRx7 dual frequency receiver/rover running Carlson SurvCE software. Relative positional accuracy: < 0.04' (95% confidence level)

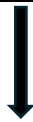
NOTE:
This plat is subject to all easements, matters of title, rights-of-way and local government approval.

JOB No. 23-010 / V03-012-0014 / PLAT# P-23-012



PROCESS

Pre-Application Conference
(Optional)



Application Filed with Department

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



City Council Hearing

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



DENIAL

City Council Action

APPROVAL



**CITY OF VILLA RICA
FINANCIAL UPDATE
May 2025**

CASH	05-31-2024	05-31-2025	+Incr / -Decr
Total Cash	\$ 52,696,293	\$ 49,903,902	-5%
General Fund	\$ 12,283,414	\$ 14,481,995	18%
Water/Sewer Fund	\$ 7,246,855	\$ 7,792,369	8%
Sanitation/Solid Waste	\$ 324,399	\$ 507,253	56%
Stormwater	\$ -	\$ 573,601	
Eastside TAD Bond Proceeds	\$ 13,637,032	\$ 9,007,610	-34%
Eastside TAD Capitalized Int	\$ 1,457,203	\$ 560,381	-62%
Eastside TAD Debt Service	\$ 35,950	\$ 302,910	743%
2015 Carroll SPLOST	\$ 165,780	\$ 37,573	-77%
2016 Douglas SPLOST	\$ 3,512,566	\$ 1,861,380	-47%
2021 Carroll SPLOST	\$ 7,575,941	\$ 6,797,982	-10%
2022 Douglas SPLOST	\$ 2,208,142	\$ 4,120,357	87%

PROPERTY TAXES - YEAR TO DATE			
	Budget	May 2025	
Real & Personal - Carroll	\$ 3,572,657	\$ 3,583,307	100%
Real & Personal - Douglas	2,390,212	2,348,176	98%
	\$ 5,962,869	\$ 5,931,483	99%

BUSINESS ACTIVITY - YEAR TO DATE		
WATER/SEWER	May 2024	May 2025
Water Revenue	\$ 2,501,538	\$ 3,148,490
Sewer Revenue	3,083,368	3,475,628
Water & Sewer Taps	1,103,400	1,907,305
Misc. Revenue	1,069,511	316,360
Transfers In*	56,295	-
Total Revenue	\$ 7,814,112	\$ 8,847,783
Utility Administrator	\$ 203,000	\$ 258,978
Sewer Expenses	1,303,199	1,375,344
Water Expenses	1,098,279	1,382,385
Dist./Coll. Expenses	821,045	784,888
Interest/Fiscal Agent Expense	9,586	46,822
Depreciation	1,155,424	1,441,000
Transfers Out - Debt Service	2,158,690	2,203,759
Transfers Out - General Fund	1,007,024	1,082,786
Total Expenses	\$ 7,756,248	\$ 8,575,962
Net Income (Loss)	\$ 57,864	\$ 271,821

SELF-FUNDED INSURANCE		BANK BALANCE	\$1,988,409
Contributions	Expenses	Savings	
Employer + Employee+Misc	Admin + Claims Paid	Difference	
Oct - Dec '24	659,470	Oct - Dec '24	417,290
Jan - Mar '25	646,464	Jan - Mar '25	691,495
Apr '25	228,359	Apr '25	88,621
May '25	213,526	May '25	204,642
TOTALS	\$ 1,747,819	\$ 1,402,048	\$ 345,771

GROWTH	May 2024		May 2025	
<i>Residential</i>	#	YTD Amount	#	YTD Amount
Building Permits	161	\$ 332,027	287	\$ 660,422
Water Taps	126	\$ 190,300	211	\$ 316,500
Sewer Taps	117	\$ 468,000	211	\$ 844,000

OTHER HIGHLIGHTS	May 2024	May 2025
	One Month	One Month
Carroll Co Sales Tax	\$ 208,892	\$ 227,632
Douglas Co Sales Tax	\$ 171,579	\$ 210,627

SANITATION/ SOLID WASTE	May 2024	May 2025
Sanitation Revenue	\$ 845,557	\$ 900,382
Solid Waste Revenue	312,212	318,549
Transfer In/Misc.	16,537	17,259
Total Revenue	\$ 1,174,305	\$ 1,236,190
Sanitation Expenses	\$ 728,284	\$ 810,609
Solid Waste Expenses	271,248	227,073
Depreciation	46,664	60,000
Transfers Out - General Fund	39,488	42,218
Total Expenses	\$ 1,085,685	\$ 1,139,900
Net Income (Loss)	\$ 88,621	\$ 96,290



CITY MANAGER UPDATE

July 2025



SNAPSHOT: UPDATES BY DEPARTMENT

- ✓ Completed
- ✓ Ongoing
- ✓ Future



ADMINISTRATION

Mayor & Council, City Manager, City Clerk, Finance,
Information Technology & Human Resources

COMPLETED

Finance Committee Meeting

Employee Appreciation Lunch

City Phone Service Transfer to AT&T



ONGOING

Safe Streets & Roads for All Planning –
Comprehensive Safety Action Plan

RFP External Audit Services

FY26 Budget Meetings & Preparation

Managing Open Record Requests

Carroll County SPLOST Negotiations

FUTURE

457 Defined Contribution Plan Transition
to New Administrator - Empower

Employee Open Enrollment for Health
Benefits

Digest and Millage Rate



BUILDING DEVELOPMENT SERVICES



COMPLETED

Georgia Initiative for Community
Housing/Villa Rica Housing Initiative
Community Meeting

Downtown Basketball Gym Floor Resurfacing

RFP for Gold Dust Gym Bleacher Replacement

FUTURE

Kona Ice off Hwy 61

Arpit Road Development Approved by GSWCC

Old Stone Road Multi-Family Approved by GSWCC

The Pine Mountain Gold Museum Bridge
addition, for Egress and Ingress.

Prospector Park Stucco repair.

ONGOING

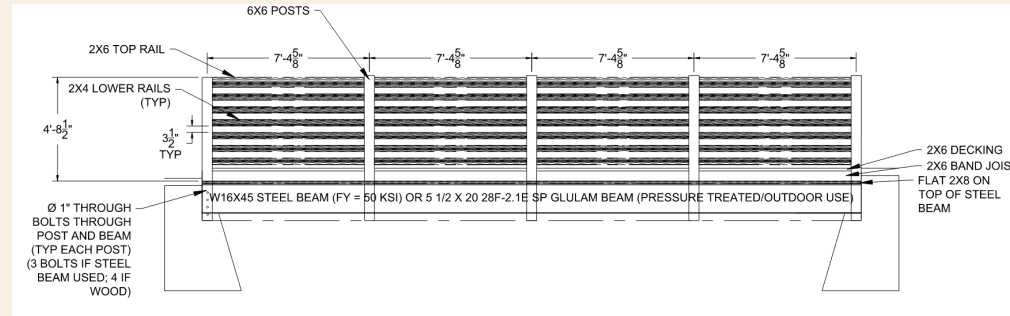
Code of Ordinance/Zoning Ordinance text
amendments: Vape Shop; Residential Rental Inspection
& Maintenance Program; Water & Wastewater capacity

The Construction of Six Pickleball Courts and the
rebuild of Three Existing Tennis Courts

Pedestrian Bridge at Hwy 78

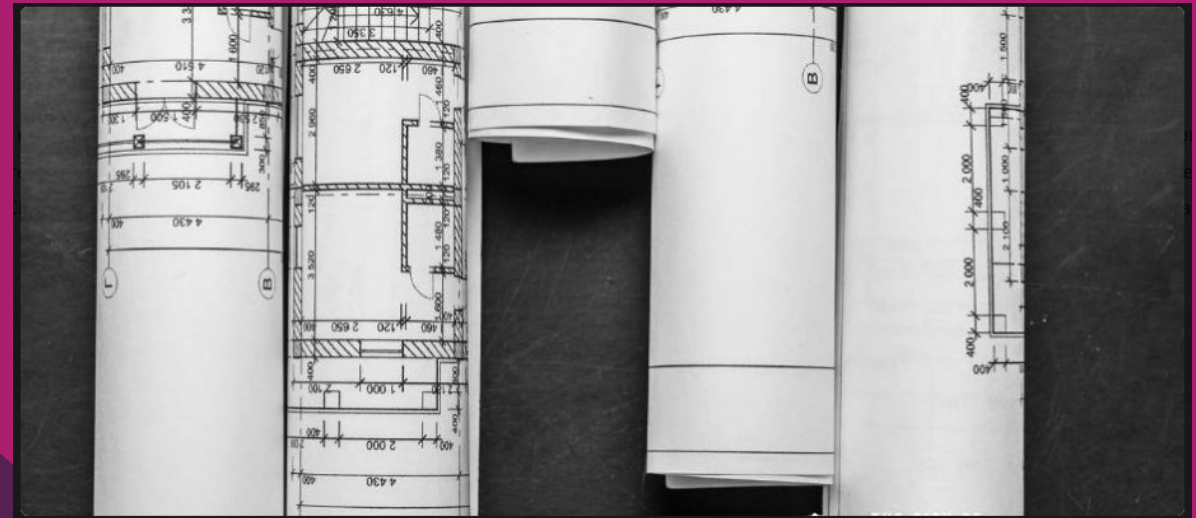
Wayfinding Signs and Monument Signs

Peach State Trucking is Reaching Final Stages





COMMUNITY DEVELOPMENT SERVICES



COMPLETED

Onboarding of Interim Community Development Director and new Planning & Zoning Commissioner, Vivian Lyons, Ward 1

Zoning Ordinance Text Amendment: Smoke, Vape Shops and Medical Cannabis Dispensaries (CC 6.10.25)

FY 2025-2026 Department Budget discussions

FUTURE

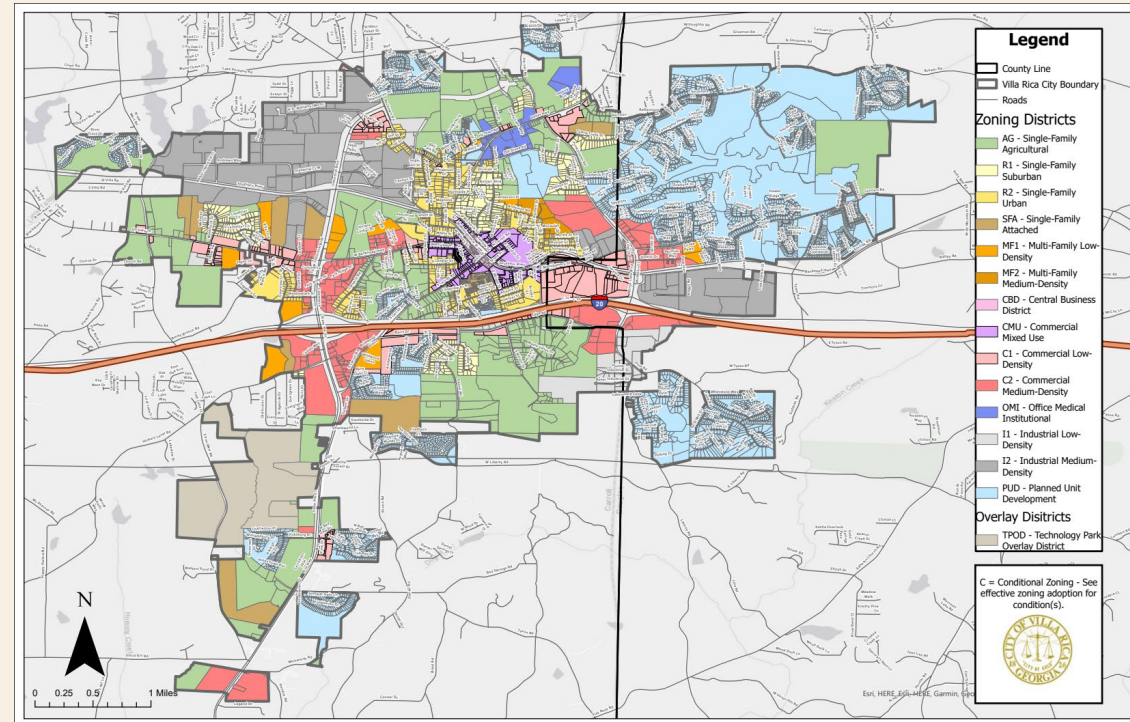
On-boarding of Planning & Zoning Administrator

Review of on-line Community Development resources (City documents, applications, etc.)

ONGOING

Georgia Initiative for Community Housing/Villa Rica Housing Initiative Community Meeting – Monthly

Schedule Introductory meetings with Planning & Zoning Commission members, County and regional partners focused on planning efforts





PARKS & RECREATION

Parks & Recreation includes Athletics, Programs, Events & Senior Services.
Other Community Resources include Library, Main Street,
Pine Mountain Gold Museum & Tourism.



COMPLETED

- › Park Improvements –
 - New score's table for Gold Dust fields 3
 - Installation of new scoreboards at V-Plex
- › 3 on 3 youth basketball registration (Ages 15-18 yo)
- › July 3 Fireworks Extravaganza

FUTURE

- › Construction of 6 outdoor pickleball courts, pavilion and restrooms
- › Backpack Bash (7/19)
- › Movie in the Park (7/19)
- › Power Wheels Challenge (9/13)
- › Mother/Son Camo Campout (9/27)
- › 5K & Fun Run (10/4)
- › Thrill at the Mill (10/25)
- › Senior Carnival (10/30)

ONGOING

- › Summer Camps (10 Total)
- › Splash Pad Season
- › July Parks & Recreation month
- › Fall sports registration
- › Ongoing youth and adult classes



COMPLETED

Rise-N-Shine (6/19)
Concert @ The Mill (06/07)
Thomas A Dorsey Festival (6/28)

ONGOING & FUTURE

THE COMMUNITY MARKET
APRIL - AUGUST
WEEKLY ON MONDAYS
4PM-7PM
ORGANIC GOODS • FRUIT • VEGGIES • MEAT • HONEY • SWEETS • FREE KIDS ACTIVITIES • MUCH MORE

Villa Rica Public Library

869 Dallas Hwy. Villa Rica, GA 30180



July Programs



- Interactive Movie- Dog Man:** Families get ready to experience Dog Man like never before. Become part of the movie as we help Dog Man on his awesome adventure.
- End of Summer Reading Party:** Let's get ready to party with popsicles, face painting, water gun painting, and more. You won't want to miss this epic end to summer.
- Scrap Journals w/ Scraplanta:** Registration is required. Join us for a hands-on scrap journaling session where you will learn how to turn reclaimed craft supplies into a one-of-a-kind journal that tells your story.
- Teen Creative Writing Contest:** Unleash your imagination to craft a story that captivates and inspires. The winner will get a \$50 gift certificate.
- Japan in 60 mins!?:** Come to the library to move and play, get a Japanese mini session, and taste Japanese snacks. All ages welcome.

Little Listeners' Themes:

- 7/1- Independence Day
- 7/8- Nature
- 7/15- Helping Hands
- 7/22- Dogs
- 7/29- Families

Themes are subject to change.

Level-Up Themes:

- 7/1- Salt & Glue Paint Art
- 7/8- Suncatchers
- 7/15- Q-Tip Dot Art
- 7/22- Make & Create Puffy Paint
- 7/29- Washi Tape Painting

Themes are subject to change.

Book Lovers Together Book Club:

The Only Woman in the Room by Marie Benedict

DOWNTOWN VILLA RICA 2025 SUMMER CONCERT SERIES

JUNE 7TH
HEADGAMES (FOREIGNER TRIBUTE)
PANDORA'S BOX (AEROSMITH TRIBUTE)

JULY 19TH
THE HIGH BEAMS
BOY BAND REVIEW

AUGUST 9TH
C&C MUSIC FACTORY (FREEDOM WILLIAMS)
NO DIGGITY





PUBLIC SAFETY

Patrol, Criminal Investigations Unit and Command Staff



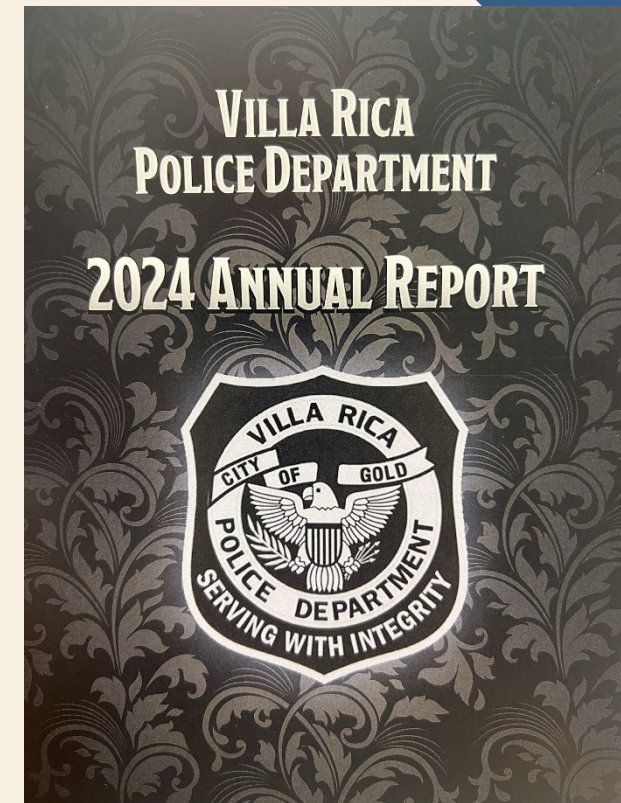
On June 19, 2025, VRPD hosted a GOHS traffic network meeting. The meeting consisted of a meal, training, and a license checkpoint. VRPD is thankful to all the sponsors and employees that made the event a success. 61 officers representing 13 different agencies participated in the event. The license checkpoint yielded 5 arrests, 18 citations for various violations, and 12 vehicle searches.



COMPLETED

At the end of the school year, members of the Criminal Investigations Division spoke with the VRHS junior class and shared the different jobs, responsibilities, and opportunities with law enforcement.

The 2024 annual report was completed. It was dedicated to retired Captain Keith Shaddix at June's council meeting.



VRPD hosted a 40-hour training class called First Responder on June 16th-20th. This class equipped officers with essential skills of first aid and victim care. 33 students representing 12 agencies were taught by Chief Dave Wade, Chief Brandy Waters and Captain Tyler Suddeth from Carroll County Fire Department and Sgt. William Walton from VRPD.



ONGOING

Special Response Team (SRT):

- ✓ Policy approved
- ✓ Equipment ordered
- ✓ Training is ongoing
- ✓ The team is getting ready for the SRT Demonstration for City leadership.



FUTURE

The police department will host the first of three management classes. This course is the first of three required for POST Management Certification and is intended for law enforcement managers.

Topics include:

- ✓ Evolution of management
- ✓ Stress management
- ✓ Principles of management, planning, organizing, and directing.

The class will be at the training center on July 21-25.



PUBLIC WORKS

Fleet, Grounds, Sign Shop, Solid Waste, Streets and Storm Water



COMPLETED

Connecting of Meadowlark Dr. and installation of speed bumps & signs

LAP Recertification & Training Jan-Jun

Planted 75 shrubs, spread 50 pine straw bales & laid 1 pallet of sod at Church on N. Ave.

Assisted in installation of the community gardens at the WIC & senior center

Successful July 3rd Event - incredible job by all that worked the event.

FUTURE

Remove & replace trees blocking billboard at the gateway.

Relocation & installation of emergency driveway at Mirror Lake H.O.A.

Culvert replacement at West Industrial Ct.

ONGOING

Continued grading work of city property on Hwy 78 (Formerly Butterballs) with sod to be laid the week of 7/14

Sidewalk improvements underway

Church Street & Main Street paving project

Upfitting of 2025 vehicles purchased.



UTILITIES

Administration

Water Operations

Wastewater Operations

Distribution & Collections Operations



COMPLETED

Completed the Cowan's Lake dam repairs and improvements

Increased raw water pumping capacity

Installation of bypass power for North Wastewater Plant

Completed annual water quality report

Completed certification of lead and copper rule requirements

Team members obtained three new operator's licenses, two maintenance licenses, and one CDL license

ONGOING

Working with state on options for treatment facility expansions

Completing the replacement of the Weatherstone lift station

Replacement of the Church Street Water Main

Working on the development of a microbiological laboratory to expand in-house testing

Replacement of water service lines in accordance with the lead and copper rule improvements

FUTURE

Achieve "WaterFirst" designation renewal

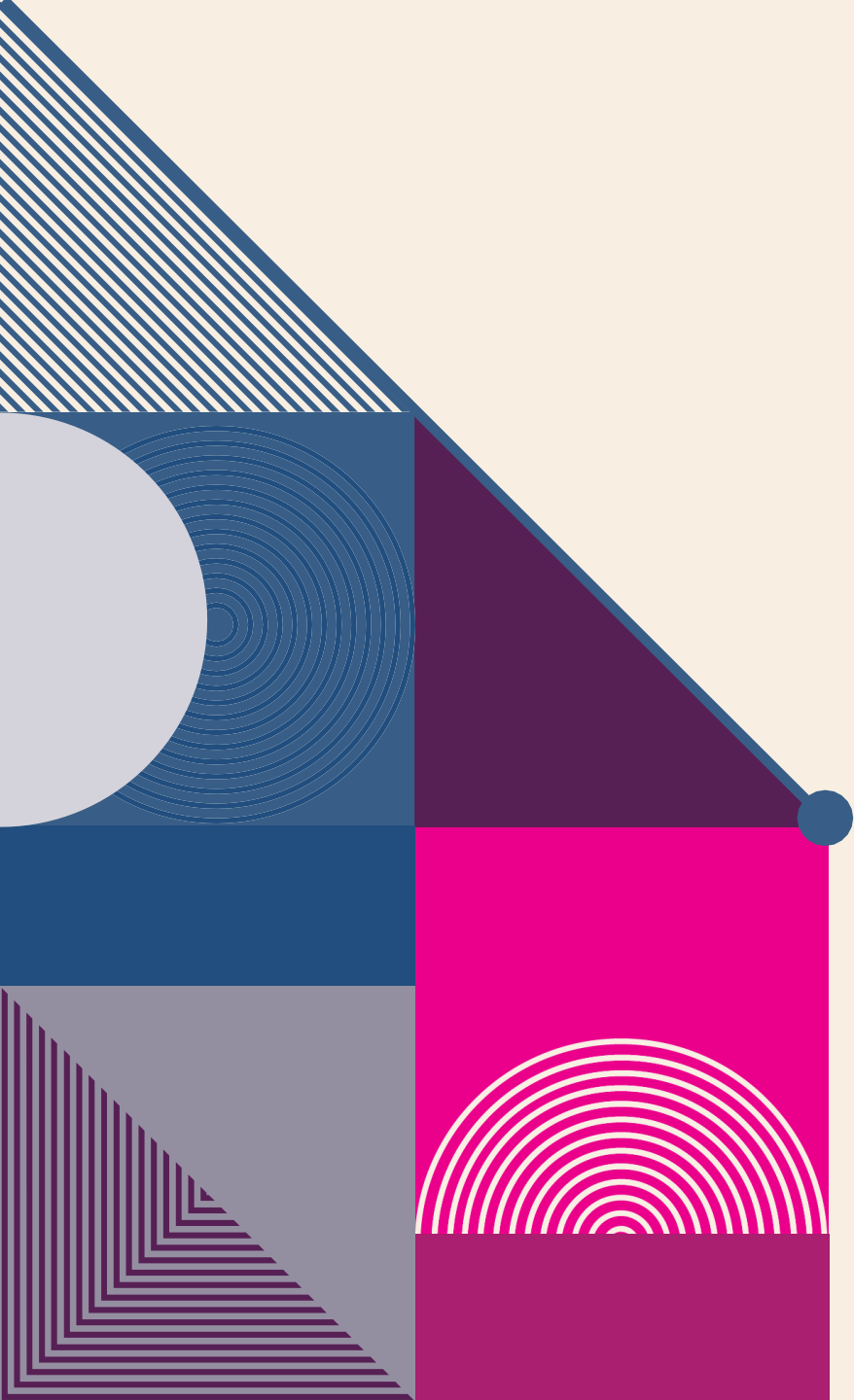
Develop utility asset management plan

Begin design of treatment plant expansions

Improvements of GIS system to include additional infrastructure and mapping capabilities

Upgrade Cleghorn lift station for increased capacity





PROJECT UPDATES

PROJECT UPDATES

Current Bids

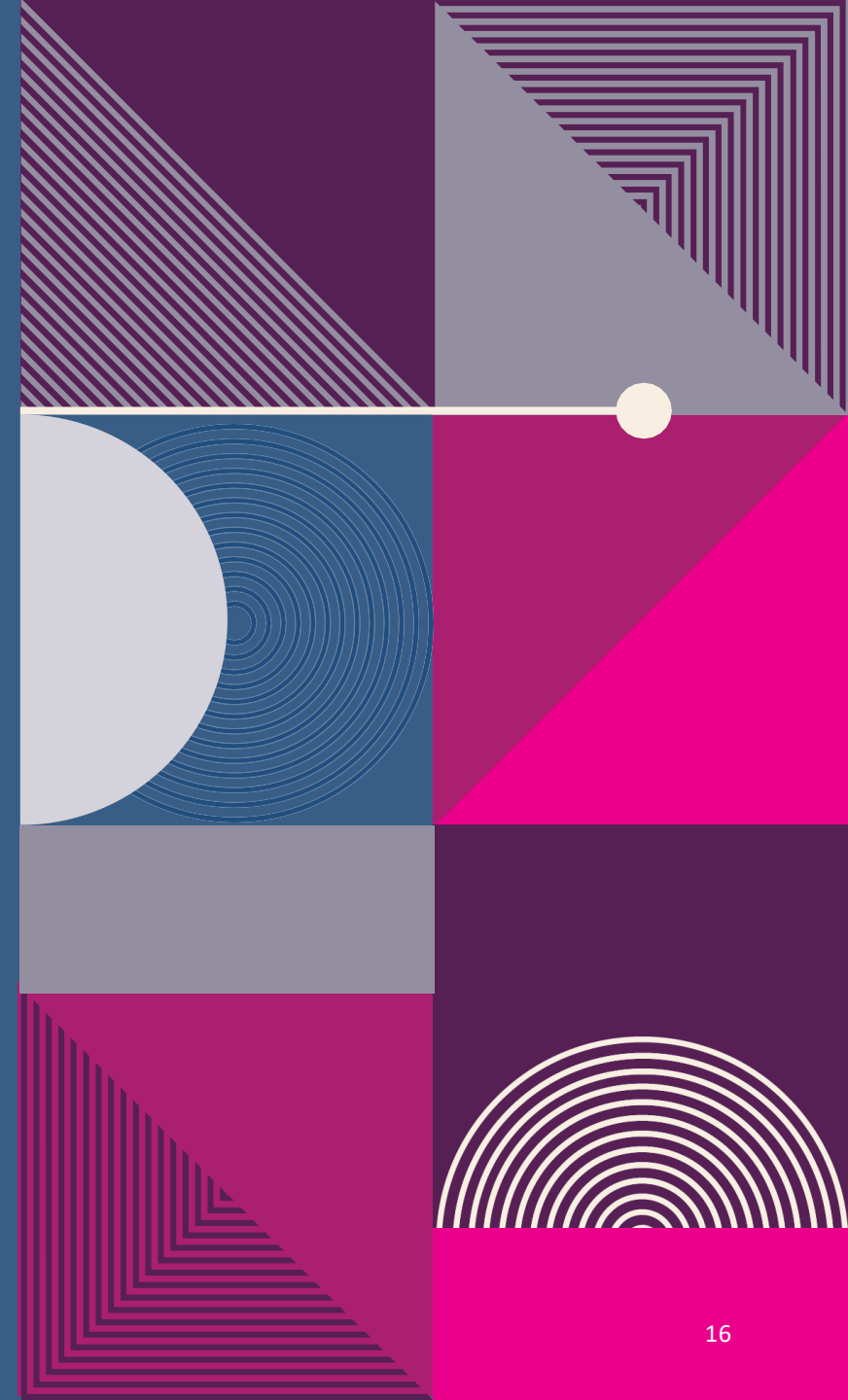
- 07/08 - Construction of Six Pickleball Courts @ Gold Dust
- 07/08 - Rebuild Three Tennis Courts @ Gold Dust
- 07/18 - Financial Audit Services
- 07/30 - Mirror Lake Blvd Left Turn Lane
- 08/01 - Replacement of Gym Bleachers @ Gold Dusk

Stormwater Utility Study

- Integrated Science & Engineering received updated aerials for Carroll County
- Continuing to make progress on the impervious area delineations
- Scheduled to have them completed by the end of July

Sanitation In-House vs. Contract Services

- Mauldin & Jenkins received data from staff
- Conducted analysis of estimated expenditures (upfront, monthly, disposal related)
- Performed benchmarking analysis of transfer stations/landfills, labor costs, solid waste removal contracting for similar municipalities, and proposed truck components



PROJECT UPDATES

Northside Downtown Streetscape

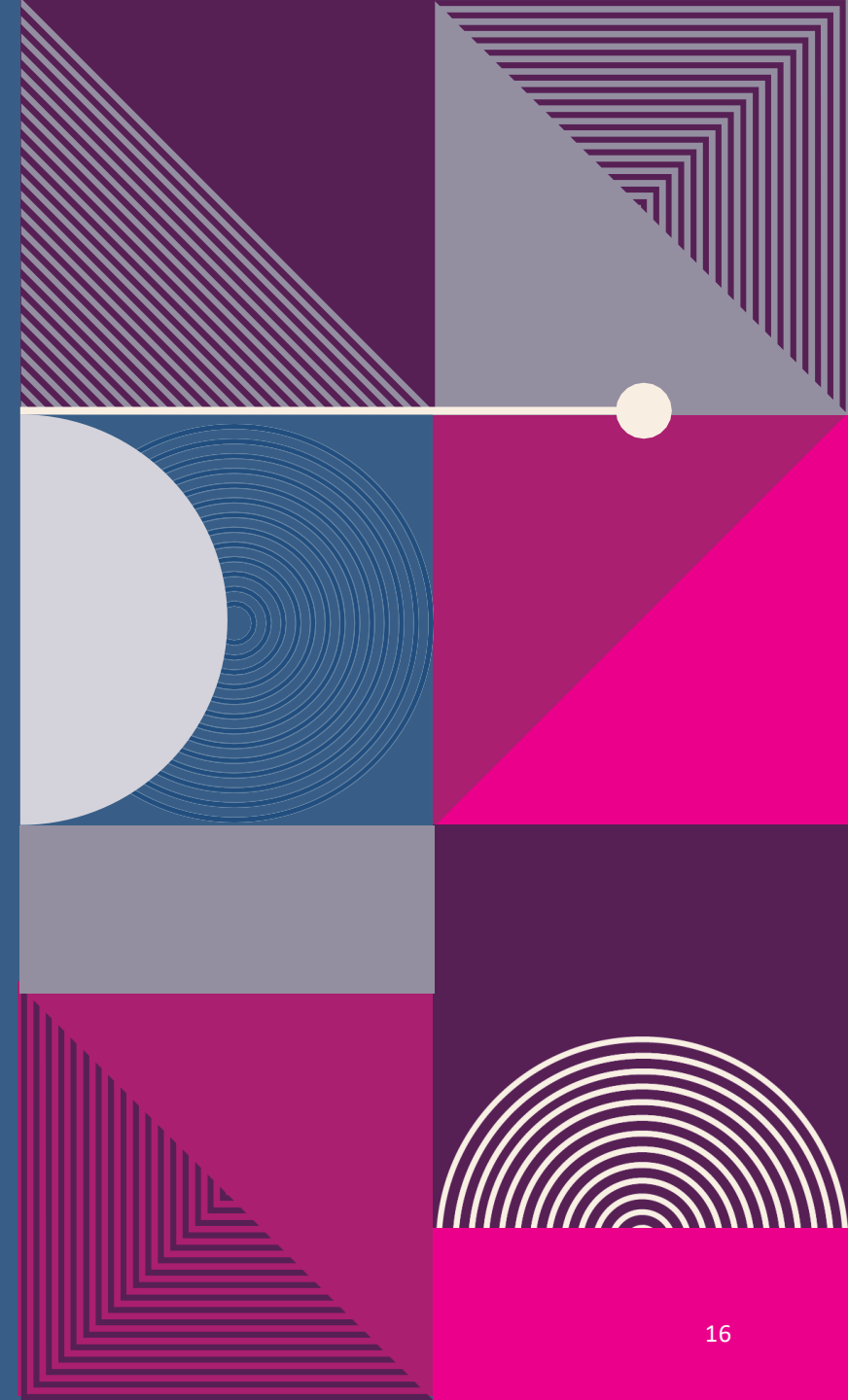
- Grant Funded \$1.1m with \$286k match
- Keck & Wood - Consultants
- Prepared concept layout, report & documentation
- Addressed comments on traffic engineering methodology
- Keck & Wood will present concept at the August work session

Villa Rica Parkway

- Construction plans have been completed (a portion of McCauley & a portion of Darden Street)
- Right-of-Way and temporary easement acquisition are underway.
- Traffic study has been completed on the intersection at Cleghorn St/Villa Rica Parkway and a traffic signal will be required.

“Fortune” Park (Cleghorn)

- 06/30 Per contractor - approximately a month before the park is graded.
- \$50k grant + \$30k developer contribution



PROJECT UPDATES

Fortune Parkway

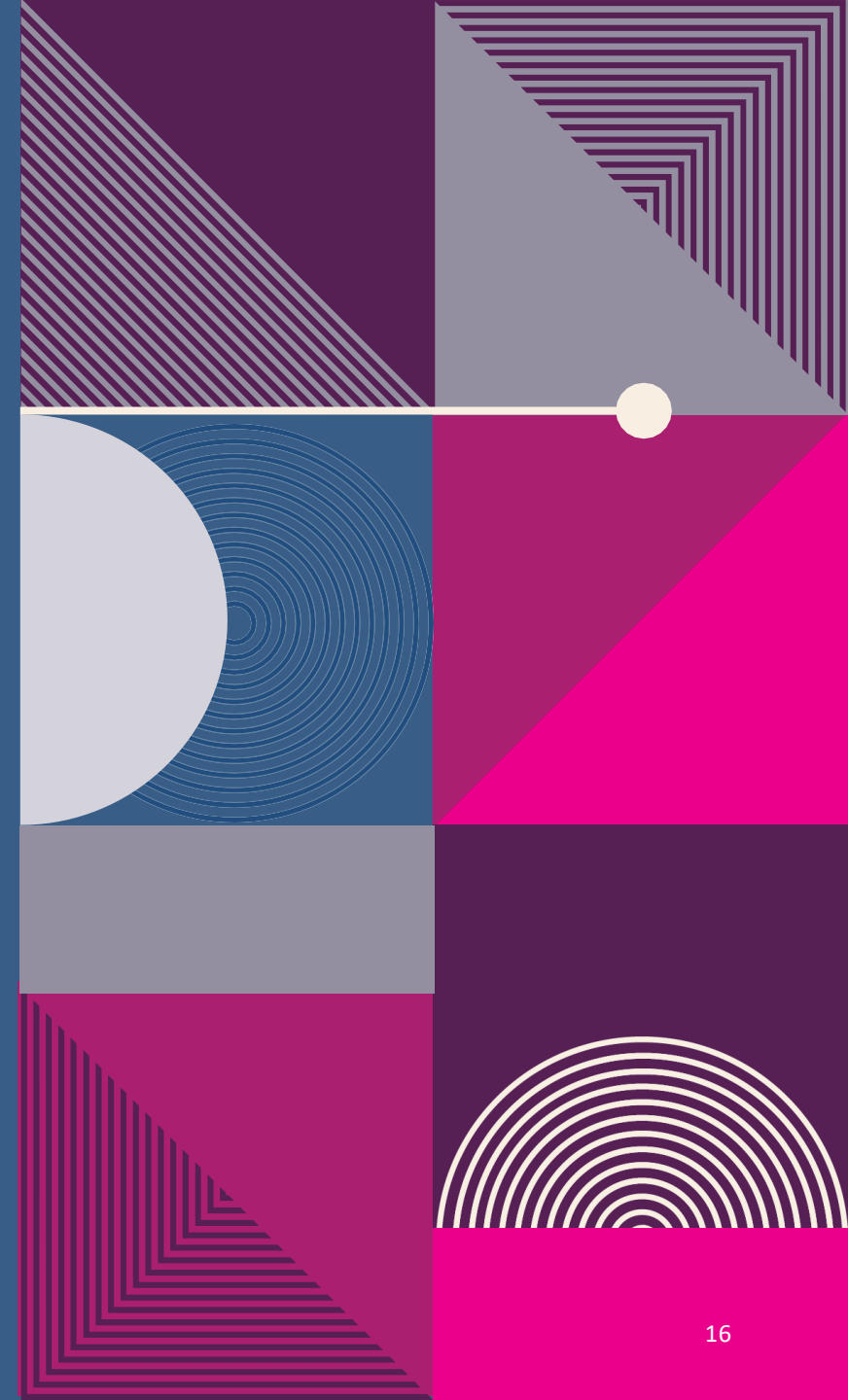
- Developer(s) Responsibilities:
 - Complete the road to Anderson Rd.
 - Construct deceleration lane on Anderson Rd.
 - Construct deceleration lane on Old Stone Rd.
 - Construct left turn lane / Old Stone re-alignment at Punkintown Rd.

Repaving Church Street & Temple St (Main St Plaza)

- Church Street water main replacement will be completed by 07/15.
- Mark Teal will coordinate with business owners regarding the repaving schedule.

North Bypass

- Astra Construction is pushing to be completed in September.
- They have a time extension through November.
- GDOT expects the road will be open some time in October pending final signs marking, grassing and matting.



PROJECT UPDATES

South Carroll @ Reed Road

- Falcon Engineering proposal is to complete construction drawings, hydrology study, GDOT utility coordination and ROW/construction easement plans
- Received \$270k in project improvement fees from Developer

Butterball Property

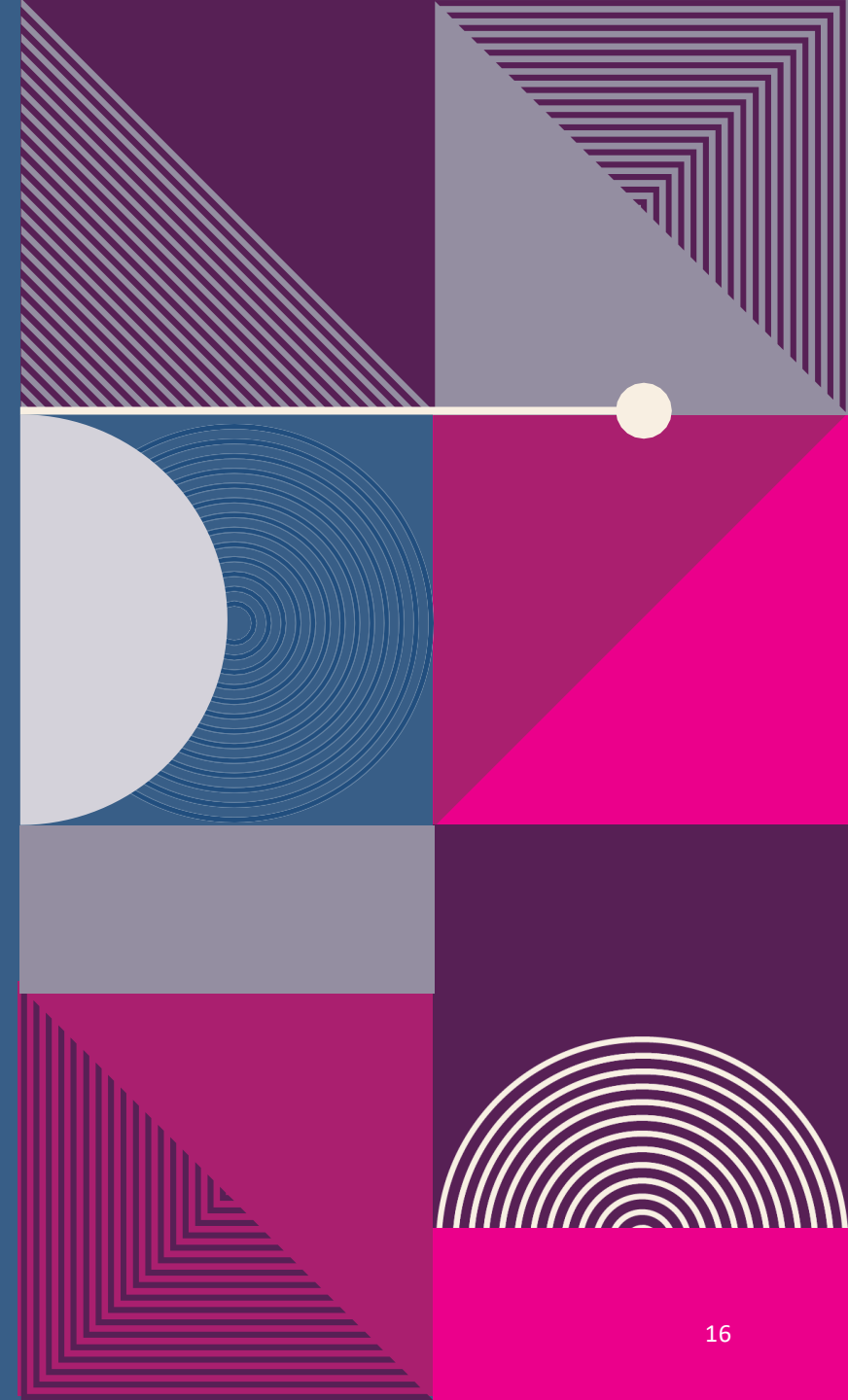
- Public Works staff hauled in dirt and graded site
- Sod will be installed the week of 07/14

Conners Road Park

- Current budget: \$593k
- Phase 1 includes – driveway, parking lot, detention pond & stormwater pipe
- Falcon Engineering – opinion of probable cost for Phase 1

Veterans Park

- Preliminary discussions with staff & veterans
- Reviewing possible sites



VILLA RICA SAFETY ACTION PLAN



VILLA RICA
— GEORGIA —

TRANSPORTATION OPEN HOUSE

JULY 17, 6:00 PM - 7:30 PM

VILLA RICA LIBRARY
869 DALLAS HIGHWAY
VILLA RICA, GA 30180

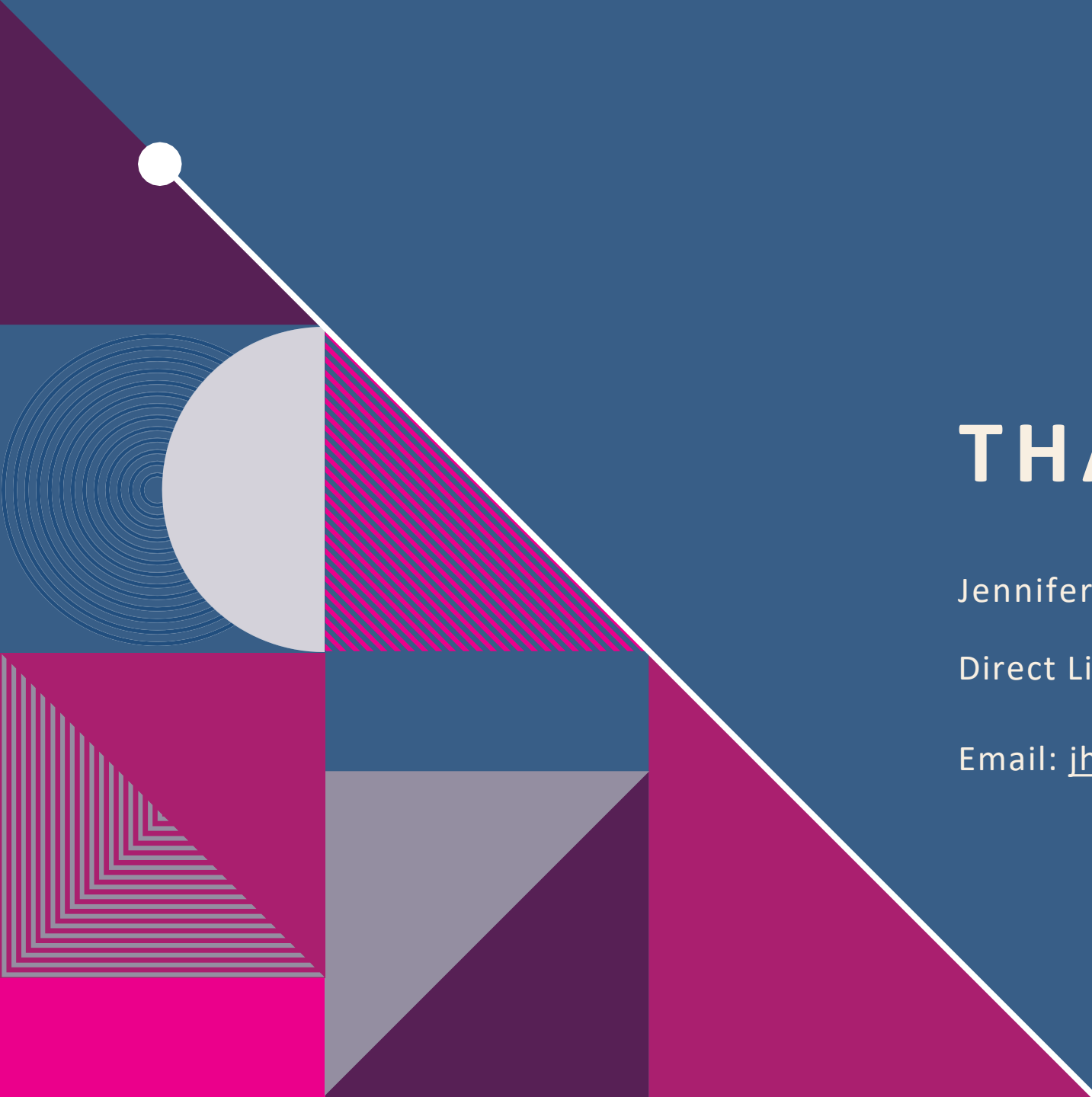
Please click the links below to learn more about Villa Rica's Safety Action Plan and participate in the project survey.

Project site: [Villa Rica Safety Action Plan](#)

Project survey: <https://arcg.is/11SWy85>



*The **Safety Action Plan** is a vital first step in developing the strategy to reduce fatal and serious injuries while promoting a safer, more efficient transportation network.*



THANK YOU

Jennifer Hallman, Interim City Manager

Direct Line: 678-840-1220

Email: jhallman@villarica.gov