

CITY COUNCIL
JEFF REESE, MAYOR
GIL MCDUGAL, MAYOR PRO-TEM
DANNY CARTER
SHIRLEY MARCHMAN
LESLIE MCPHERSON
MATTHEW MOMTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID
MECKLIN

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

MAYOR & COUNCIL MONTHLY MEETING AGENDA

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

August 27, 2019 | 6:00 PM

Meeting Call to Order (Mayor Jeff Reese)

Invocation (Councilman Matthew Momtahan)

Pledge of Allegiance (Mayor Jeff Reese)

Adoption of the Agenda (Mayor Jeff Reese)

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)

A. Governing Body (Mayor Jeff Reese)

1. Approval of Minutes:
 - a. Meeting Minutes of August 13, 2019.
2. Request for Open Container and Use of Prospector Park on September 20-22

B. Community Development (Bobby Elliott, Director)

1. 20% Grant Match Request for Villa Rica Transportation Master Plan (Chris Montesinos, Deputy Director)
2. ANNEX-01-19 & RA-05-2019: Annexation & Rezoning Request - Hwy. 61 & Hickory Level Road
3. RA-06-18: 55 & 63 Goldworth Road (Avenmore Presentation for Informational Purposes Only)
4. ABL-07-19: Pouring License Application For Luther's LLC.

C. Public Works (Pete Zorbanos, Director)

1. Amendment #1 to Agreement with Brennan Jones Engineering Associates, LLC
2. Enclosure for Existing Metal Building at Old West Plant

D. Finance (Sarah Hefty, CFO)

1. 2019 Millage Rate: Public Hearing
2. 2019 Millage Rate: Adoption
3. Financial Update: July 2019

City Manager's Report (Tom Barber)

Adjournment



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Request for Open Container and Use of Prospector Park on September 20-22

AGENDA DATE: August 27, 2019

DATE PREPARED: August 16, 2019

PREPARED BY: Tom Barber

AMOUNT: n/a

GL ACCOUNT #: n/a

FUNDING SOURCE: n/a

BUDGETED ITEM? n/a

PURPOSE: To approve the open consumption of alcohol and the use of Prospector Park on September 20-22.

BACKGROUND: Hixtown Brewing is planning to host musical entertainment at their brewery on Friday-Sunday, September 20-22. They would like to use Prospector Park for the weekend. In addition, they would like to temporarily fence the area from noon to 11:00 pm during those three days. They would also like to close North Avenue from Highway 61 to W. Church Street and to close Temple Street at the intersection of Temple Street and North Candler Street during those same times.

The next request would allow an open container of Hixtown's craft beer (only) to be consumed from plastic cups at Prospector Park and in the area between the park and the brewery, including the south end of North Avenue, during these same dates and times.

The final request is to allow food truck vendors to operate in this same area on the same dates and times.

STAFF RECOMMENDATION: Due to the presence of nearby residential structures an ending time of 11:00 pm might create a problem. The City typically ends our programs at the Mill around 10:00 pm. In addition, the presence of nearby churches might create a problem on Sunday morning. A Sunday starting time of 1:00 pm or later might be more appropriate. Street closures during road races or events at the Mill typically generate a few complaints from local businesses. The area in which food trucks can operate should probably be spelled out.

IMPACT:

MOTION: I move that we allow Hixtown Brewing Company to rent and temporarily fence Prospector Park on September 20-22 from noon to 11:00 pm as a musical entertainment venue. I further move that we allow the consumption of alcohol from plastic cups purchased only from Hixtown Brewing during these same dates and times. Consumption may only occur at Prospector Park and along North Avenue. Last of all, I move that we allow up to three food truck vendors to operate during these same dates and times on the roads immediately west and north of Prospector Park.

HIXTOWN BREWING CO. 407 MAIN ST. VILLA
RICA, GA 30180 678-952-6580

August 7, 2019

Attention: Tom Barber

Thank you for taking a moment to talk with Brian and me about the upcoming event we are hosting at Hixtown Brewing Company. We will be having several country music entertainers at our establishment to promote our business and launch our Oktoberfest craft beer on the days of September 20th, 21st and 22nd. Our business is adjacent to the small grassy area once known as Prospectors' Park. We would like to gain permission to use this space for the weekend activities.

This area has been underutilized by our community since The Mill Amphitheater was built over ten years ago. Prior to that, the park was used to host the Summer Concerts.

In order to simplify our request to the Honorable Mayor and Council, I have outlined what we propose:

- Hixtown Brewing would like to use the park at North Avenue for our three day event to accommodate the anticipated attendance at our promotion. In order to successfully host this event, we want to;
- Temporarily fence in the area surrounding the park during our use on the days of Sept. 20th, 21st, and 22nd; from 12 noon, until 11 pm.
- Close the small stretch of North Avenue from the intersection of North Avenue and Hwy 61, to North Ave. and W. Church St.
- Close Temple Street at the intersection of Temple and North Candler Streets.
- Allow open container of our craft beer (only) in plastic cups, to be taken into the park area from our establishment during the events of the three days.
- Allow food truck vendors that are approved by the Carroll County guidelines to sell their food at our three day event.

HIXTOWN BREWING CO. 407 MAIN ST. VILLA
RICA, GA 30180 678-952-6580

We understand that the request for a permit to have open containers of alcohol has not previously been requested by other establishments, other than that of the City officials' request to serve beer and wine at specific concerts at the Mill Amphitheater. We anticipate similar orderly response to our event that has been seen at the City's sponsored events.

We understand that we will need to do the following:

- Continue to "card" identify people of drinking age,
- Successfully identify those who are under the drinking age (arm band for young adults)
- Promote a safe environment for those patrons at our event
- Employ security
- Keep litter in trash containers, and pick up litter after each night
- End outside festivities by midnight, Friday and Saturday, and 10 pm Sunday

Tom, we have been impressed by the quality class of patrons at our brewery since opening in May. We trust that we will draw a comparable crowd at our September event. We have signed a contract with our headlining performer, and we will be hosting him regardless of whether the park, with the opportunity to have open containers, is approved. We anticipate that by allowing outside access in this park area, Villa Rica will be deemed as a "go to" place for food, beverages, entertainment, and shopping. Several progressive communities have successfully helped their downtown areas flourish by adopting open container policies.

I have listed on the following page some cities that have approved ordinances allowing alcohol to be purchased and taken off premise. At this time, I am only requesting that we be given permission for this three day event, and only to be within the confines of the above listed area. If it proves to be a success, we would like to consider future opportunities for open container permits, or even a change in the ordinance on a full time basis.

I respectfully request that this item be included on the next agenda for consideration by Mayor and Council. If you will, kindly let me know if this is possible, and I will be in attendance for any questions that arise.

Sincerely,

Cindy Britt

HIXTOWN BREWING CO. 407 MAIN ST. VILLA
RICA, GA 30180 678-952-6580

Hixtown Brewing
770.883.0592

- March 15, 2016, the Woodstock city council passed an ordinance creating an Entertainment District that includes the area surrounding Main Street in Downtown Woodstock. Customers are allowed to purchase alcohol to consume and take off the premises until 12:00 Midnight. <https://beerguysradio.com/2016/03/15/woodstock-to-go/>
- Canton Residents will be allowed to carry out a single serving of alcohol from licensed establishments in a designated restaurant district. However, the compromise now establishes a restaurant district where residents can carry out alcoholic beverages from establishments within the district from 5 p.m. to 11 p.m. Fridays and Saturdays. This would go into effect Oct. 1, 2018 and last until Oct. 1, 2019. <https://patch.com/georgia/canton-ga/canton-approves-downtown-open-container-proposal>
- At January 22, 2019 meeting the Kennesaw City Council unanimously approved creating two new entertainment districts where folks can carry a drink with them as they stroll around. The city held a public hearing on the plan before voting, but nobody in the audience had anything to say. https://www.mdjonline.com/news/kennesaw-approves-open-container-districts/article_11bdf43a-1f16-11e9-8e30-eff16528d4c3.html
- The Powder Springs City Council approved by a 4-1 vote in February 2019, an ordinance creating an “entertainment district” where people would be allowed to walk outside with drinks in hand. https://www.mdjonline.com/news/powder-springs-pops-top-off-open-container-district-ordinance/article_2e2c60ee-410c-11e9-a1af-8fe0ed91d9b7.html
- June 6, 2016, Mayor and Council of Carrollton adopted a Resolution to permit “brown bag” alcohol consumption at certain events in the Adamson Square district of the city of Carrollton. <https://www.carrollton-ga.gov/wp-content/uploads/2016/02/resolution12-2016-Alcohol-Ordinance-Amendments.pdf>

Tom Barber

From: C. David Mecklin <dmecklin@tisingervance.com>
Sent: Thursday, August 8, 2019 11:56 AM
To: Chris Montesinos; Tom Barber
Cc: Bobby Elliott; Ronald Johnson
Subject: RE: September Event with Open Container
Attachments: 20190808114734.pdf

I think we might be able to work within the context of Sections 4-37 and 4-38 of our existing ordinance to accommodate this request.

If we want to broaden our existing ordinance to allow for an "entertainment area" within the City, I have attached ordinances from both Carrollton and Franklin which would allow for such either during special events or all of the time.

From: Chris Montesinos <cmontesinos@villarica.org>
Sent: Thursday, August 08, 2019 11:42 AM
To: Tom Barber <tbarber@villarica.org>; C. David Mecklin <dmecklin@tisingervance.com>
Cc: Bobby Elliott <belliott@villarica.org>; Ronald Johnson <rjohnson@villarica.org>
Subject: RE: September Event with Open Container

I don't see an issue with it provided that he signs a "hold harmless" waiver with the City, and has \$1M insurance coverage for the event. Let me know if I can help.

Chris Montesinos, AICP, CME
Deputy Director of Community Development
571 West Bankhead Highway, Villa Rica, GA 30180
(678)840-1237 | cmontesinos@villarica.org
www.villarica.org or facebook.com/cityofvillarica



From: Tom Barber
Sent: Thursday, August 8, 2019 11:00 AM
To: David Mecklin (dmecklin@tisingervance.com) <dmecklin@tisingervance.com>
Cc: Bobby Elliott <belliott@villarica.org>; Chris Montesinos <cmontesinos@villarica.org>; Ronald Johnson <rjohnson@villarica.org>
Subject: FW: September Event with Open Container

Let's discuss when we get together next.

Tom

From: Cindy Britt [<mailto:cbritt2018@att.net>]
Sent: Thursday, August 8, 2019 9:54 AM

To: Tom Barber <tbarber@villarica.org>

Subject: September Event with Open Container

Tom,

Please see attached letter requesting opportunity for an open container event at our brewery.

Thanks,

Cindy Britt

770.883.0592

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CITY OF VILLA RICA

City Council Packet

SUBJECT: 20% Grant Match Request for Villa Rica Transportation Master Plan

CITY COUNCIL AGENDA DATE: August 27, 2019

PREPARED BY: Chris Montesinos, AICP
Deputy Director of Community Development

FISCAL IMPACT:

ANNUAL – \$20,000 (\$100,00 already approved in the budget)

CAPITAL – N/A

OTHER – N/A

FUNDING SOURCE: N/A

PURPOSE: The Atlanta Regional Commission is the intermediary of Federal Highway Funds in the Atlanta Metropolitan Planning Organization area, which includes the City of Villa Rica. As such, the City can apply for program funding, when a Call for Projects for the Transportation Improvement Program (TIP) has been announced. The City is applying for funds to significantly offset the cost of the Villa Rica Transportation Master Plan. The City intends to apply for \$80,000 in federal funds, with a local match of twenty (20%) percent, or \$20,000, for a total estimated project cost of \$100,000. Staff is requesting a resolution of support and a commitment to fund the match should the project be selected for funding.

BACKGROUND: Addressing the transportation issues facing the City of Villa Rica will require a multi-faceted approach including a proactive community involvement from a wide range of public interest groups along with the proper mix of technical analysis and policy discussion. The City's overall transportation issues are a product of its location within the region with significant east-west through transportation movement on West Bankhead Hwy (US 78), Interstate 20, Dallas Hwy (SR 61); and north-south through transportation movement on regional arterial facilities such as Industrial Blvd. (SR 101/61), Liberty Road - Mirror Lake Blvd - Punkintown Road, North Van Wert Road and South Van Wert Road.

In addition to serving regional travel, these same facilities serve as the major travel routes for trips traveling within the City. There is a lack of significant network and connectivity thus causing local and regional trips to travel on the same roadways. Other facets of the transportation system including transit, pedestrian and bicycles, and PATH trails are also key elements of the overall transportation system that must be examined and evaluated at a community level scale. Other features of the transportation system must be examined on a more detailed basis. Major transportation corridors, individual intersections, school zones, pedestrian and access management

issues require a more detailed level of analysis and evaluation. It is important that this more detailed analysis be fully integrated with the overall community level of analysis to provide a comprehensive assessment of the City's transportation system. The application deadline for the TIP is October 11, 2019. Sources at ARC say that we should know if we were selected before the end of the year.

STAFF RECOMMENDATION: Recommendation to APPROVE a resolution of support for the City's TIP application and the commitment of a twenty percent (\$20,000) match.

IMPACT: The City administration is committed to practicing fiscal responsibility by maximizing opportunities to offset expenses with alternative funding sources where possible. The Villa Rica Transportation Master Plan is already in the approved budget, but an opportunity to apply for federal funds to offset 80% of the project cost would be a significant savings of taxpayer dollars.

MOTION: Approve the Resolution of Support and Commitment of the twenty percent match for the Transportation Improvement Program Call for Projects for the Villa Rica Transportation Master Plan.

STATE OF GEORGIA

COUNTY OF CARROLL

COUNTY OF DOUGLAS

CITY OF VILLA RICA

RESOLUTION R-4-2019

A RESOLUTION TO AUTHORIZE THE MAYOR OF THE CITY OF VILLA RICA, GEORGIA TO EXECUTE THE NECESSARY DOCUMENTS TO MAKE AN APPLICATION TO APPLY FOR GRANT FUNDS FROM THE FEDERAL TRANSPORTATION PROGRAM STP 33(C) FUNDS ADMINISTERED THROUGH THE ATLANTA REGIONAL COMMISSION (ARC).

WHEREAS: Federal grant funds are available through the Transportation Improvement Program (TIP) to assist local governments with planning and implementation of transportation improvements in their communities; and

WHEREAS: The City of Villa Rica, Georgia desires to make an application for these grant funds for Villa Rica Transportation Master Plan; and

WHEREAS: The City of Villa Rica will request grant funds for \$80,000; and

WHEREAS: A local government must submit an application for these grant funds, and commit to 20% matching funds based on the approved grant - \$20,000 – for a total project cost of \$100,000;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Villa Rica, Georgia that the Mayor is hereby authorized to execute the necessary documents to make an application to acquire grant funds from the Atlanta Regional Commission through the TIP for the Villa Rica Transportation Master Plan;

BE IT FURTHER RESOLVED THAT:

In the event this federal grant is approved, the Mayor and Council hereby confirm that the 20% matching funds will be made available in the appropriate fiscal year budget, and that these funds will be used to meet the terms of this grant.

So Resolved, this the 27th day of August, 2019



CITY OF VILLA RICA

City Council Packet

SUBJECT: ANNEX-01-19 & RA-05-19 – Hwy. 61 & Hickory Level Road (Parcel No: 168 0190)

CITY COUNCIL AGENDA DATE: August 27, 2019

DATE: August 7, 2019

PREPARED BY: Ronald Johnson, Planning and Zoning Specialist

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: Bapu Enterprise, LLC of Lithia Springs, GA is requesting annexation and a rezoning of a 50.04+/- acre property located at the SW corner of Hwy 61 and Hickory Level Road for a fast food restaurant (Popeyes).

BACKGROUND: The subject property is located within unincorporated Carroll County and would like to construct a Popeyes fast food restaurant in the northeast corner of the lot. The property owner is proposing to be annexed within the city limits of Villa Rica and rezoned General Commercial.

STAFF RECOMMENDATION: Staff recommends approval of this annexation and rezoning.

IMPACT: N/A

MOTIONS:

- (1) I make a motion to approve the annexation proposal of Parcel #: 168 0190 on Highway 61 requested by Bapu Enterprise, LLC into the city limits of Villa Rica from Carroll County.
- (2) I make a motion to amend the Comprehensive Plan and Future Land Use Map to include the subject property, to designate it as Suburban Village and to include it within the amended city limits.
- (3) I make a motion to approve the rezoning proposal of Parcel #: 168 0190 to General Commercial (GC) on Highway 61 requested by Bapu Enterprise, LLC.



Planning & Zoning

Community Development Department

ANNEX-01-19
RA-05-19

Council Ward: 2

Planning Board Member: Kurt Kraft

City Council Member: Danny Carter

Public Hearing Dates

Planning Commission: August 6th, 2019

City Council: August 27, 2019

Request: Annexation into the City of Villa Rica and rezone the property to General Commercial (GC).



Applicant: Bapu Enterprise, LLC
976 W. Pointe Ct.
Lithia Springs, GA 30122

Acres: 50.04+/- acres
Current Land Use: Commercial
Future Land Use: Suburban Village

Parcel Number(s): 168 0190

Location: SW corner of Hwy 61 and Hickory Level Road, in Land Lot 131 of the 6th District in Carroll County.

Project Description:

The applicant is requesting annexation and a rezoning of property located at Hwy. 61 and Hickory Level Road to General Commercial (GC) for use as a Popeyes fast food restaurant.

Surrounding Properties:

Current Zoning		Land Use
North	General Commercial (GC)	I-20 Gateway Character Area
East	General Commercial (GC)	Suburban Village Character Area
South	Rural Development (RD)	Suburban Village Character Area
West	Office and Institutional (OI)/ Commercial/Manufactured Home Subdivision (County)	Suburban Village Character Area (City)/ Trans/Comm/Util (County)

Rezoning Review Standards:

The Code of the City of Villa Rica, Unified Development Code Section 2.03.B.4, requires all zoning amendment applications to be reviewed based upon the impact of the proposed rezoning with respect to each of the following matters:

A. *Whether the existing zoning was in error at the time of adoption.*

Not applicable. The property was located in unincorporated Carroll County at the time of application submission.

B. *Whether the proposed change is consistent with, and in furtherance of, the implementation of the goals and objectives of the Comprehensive Plan, other adopted plans, and the policies, intents and requirements of this Code and other city regulations and guidelines.*

Future Land Use Map

The proposed property is not currently located within City limits; however, it is located within the City's Urban Growth Boundary. The Future Land Use Plan prescribes "Suburban Village" as a future land use for the parcel. The intent of the Suburban Village Character Area is to "create nodes in areas where potential for future development exists by establishing development pattern focused around Community Crossroads". Clustered commercial development around community crossroads is a main goal of the plan in these areas and the proposed annexation, rezoning and use of the property would be compatible with that goal. However, the Comprehensive Plan mentions the R-20; RT; RD; PD; NC; and OI Zones as the appropriate zoning for this area, not the proposed GC Zone. The subject property is located along the Commercial Corridor designation in the Comp Plan, which includes GC as a compatible zoning classification.

Relation to the Comprehensive Plan Policies:

Development Planning

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

DP Strategy 1.1: Use the Future Development Map to guide decisions for new development and redevelopment within Villa Rica, while planning for expansion and growth.

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

DP Strategy 1.3: Ensure adequate buffering and screening is provided between residential areas and adjacent developments to minimize potential negative impacts.

DP Strategy 1.4: Use the Future Development Map to guide planning for water, sewer, stormwater infrastructure expansion projects, limiting future service to targeted development locations.

C. Whether there is a community need for and benefit from the proposed rezoning; or

There are not any tangible community needs or benefits that would be realized from the rezoning other than consistency with the Future Land Use Map.

D. Whether the proposed change is consistent with the character of the area in which the proposed rezoning is proposed.

The proposed rezoning is consistent with the character of the area, especially with its proximity to other fast food establishments and commercial properties on Hwy. 61. Commercial service establishments will continue to complement uses in the vicinity at an appropriate scale.

E. Whether the proposed zoning is compatible with the zoning and uses of property nearby.

The proposed zoning is compatible with nearby zoning and uses nearby. All commercial properties to the east, north and south of the property is zoned General Commercial. The western lots adjacent to the property are a part of a manufactured home subdivision, with three (vacant) lots in the City of Villa Rica and the majority of the subdivision in unincorporated Carroll County. The three vacant lots in Villa Rica are zoned Office Institutional.

F. Whether the existing zoning is suitable for the development of the uses authorized under the existing zoning classification, will be conducive to proper community planning, and is a logical extension of an existing urban area or growth center.

The existing zoning under Carroll County is Commercial directly adjacent to Hwy 61 and Manufactured Home Subdivision for the remaining portions of the lot. The minimum lot size under the Commercial zoning is one-half (1/2) acres for lots with access to public sewer and water and 1 acre for lots without such infrastructure, and restaurants are permitted in the Commercial Zone. The proposed development describes a minimum lot size of 50.04 acre. The lot in question has access to sewer and water. Therefore, under Carroll County regulations, the development would be suitable for the described development.

G. Whether the public and community facilities, which may include, but are not limited to, sanitary and storm sewers, water, electrical service, police and fire protection, schools, parks and recreation facilities, roads, libraries, and solid waste collection and disposal, are available and adequate to serve uses authorized under the proposed zoning.

The subject property is currently provided with community facilities including public sewer and gas. These services should remain available, and seem to be adequate to serve uses authorized under the proposed zoning.

H. Whether the authorized uses will not adversely affect the capacity or safety of the street network in the vicinity of the property.

The proposed rezoning will increase trip generation on both Hwy. 61 and Hickory Level Road should the rest of the lot be developed outside of the proposed Popeyes restaurant. However, Hwy. 61 is the largest right-of-way in the City of Villa Rica and capacity of the road should not be significantly impacted by the Popeyes. The right-of-way has room to be expanded for extra lanes, including pull-out and pull-in lanes.

I. Are there potential environmental impacts (e.g., excessive storm water runoff, water pollution, air pollution, noise pollution, excessive lighting, or other environmental harms) of authorized uses will be mitigated.

Based on the City's and County's available maps, Bay Springs Creek terminates on the interior of the lot. The proposed Popeyes is located in the Northeast corner of the lot and outside of the city's 75' stream buffer requirement. Therefore, Staff is of the opinion that there are currently no potential environmental impacts.

Staff Comments:

The proposed rezoning from Carroll County's Commercial Zone/Manufactured Home Subdivision to Villa Rica's General Commercial Zone will be a change that is beneficial to Villa Rica and will provide more development opportunity on the Hwy 61 corridor. The rezoning and proposed use supports Villa Rica's Comprehensive Plan goals and will be a more conducive use of the property than Carroll County's proposed Manufactured Home Subdivision zoning. The proposed use as a Popeyes restaurant for the northeast corner of the lot is complementary to the other surrounding uses and will not disturb the Bay Springs Creek.

The annexation is appropriate for the city as sewer and water infrastructure currently run through the lot, the lot is bounded on 3 sides by the city limits, and shift in land use from Manufactured Home Subdivision to General Commercial will be most appropriate from a land use perspective.

Recommendation:

Staff recommendation: **APPROVAL**

Public Notifications:

As required by *Article 2, Section 2.01* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on July 21, 2019; a sign has been posted on the subject properties; and all abutting property owners have received notification via certified mail.

Public Response:

In response to the public notifications, residents within the surrounding neighborhoods have not contacted the City at the time of this staff report.

Office of Community Development

Attachments:

1. Rezoning Application
2. Annexation Petition
3. Impact Analysis
4. Legal description of the Property Boundaries
3. Warranty Deed
4. Property Plat
5. Applicant Statement



Planning & Zoning

Community Development Department

PETITION REQUESTING ANNEXATION CITY OF VILLA RICA, GEORGIA

Date: MAY 21, 2019

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA RICA,
GEORGIA:

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Council annex this territory to the City of Villa Rica, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed abuts the existing boundary of Villa Rica, Georgia, and the description of such territory is as follows:

Address/Location of Property:

SOUTWEST CORNER OF N.E. HICKORY LEVEL ROAD AND GA HIGHWAY 61, VILLA RICA, GA 30180

Tax Map Parcel #:

168 0190

(Please attach legal description of property.)

WHEREFORE, the Petitioner prays that the City Council of the City of Villa Rica, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, do by proper ordinance annex said property to the City Limits of the City of Villa Rica, Georgia.

Respectfully submitted,

DEREK OBERSCHALL, CSC PROPERTIES, LLC

Petitioner Mailing Address:

5795 ULMERTON ROAD, CLEARWATER, FL 33760



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

☐ UDC TEXT AMENDMENT ☒ ZONING MAP AMENDMENT

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

Date of Application: MAY 21, 2019

APPLICANT

Applicant Name: DEREK OBERSCHALL - CSC PROPERTIES, LLC

Address: 5795 ULMERTON ROAD **City:** CLEARWATER **State:** FL **Zip:** 33760

Phone: (727) 446 - 3444 **Fax:** (727) 346 - 1253 **Email:** DEREK@CSCPROPERTIES.COM

Agent Name: CONNOR PATON - FORESITE GROUP, INC

Address: 3740 DAVINCI COURT, SUITE 100 **City:** PEACHTREE CORNERS **State:** GA **Zip:** 30092

Phone: (770) 368 - 1399 **Fax:** (770) 368 - 1944 **Email:** CPATON@FG-INC.NET

Owner Name (If different from applicant): ASHISH PATEL - BAPU ENTERPRISE LLC

Address: 976 W. POINTE CT. **City:** LITHIA SPRINGS **State:** GA **Zip:** 30122

Phone: (404) 213 - 8388 **Fax:** () N/A - **Email:** N/A

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

REZONING REQUEST

Existing Zoning: N/A (UNINCORPORATED) **Requested Zoning:** GENERAL COMMERCIAL (GC)

Property Address: SWC N.E. HICKORY LEVEL ROAD **Nearest Intersection:** SWC N.E. HICKORY LEVEL ROAD
AND GA HIGHWAY 61 AND GA HIGHWAY 61

Present Use of Property: VACANT PARCEL - PARTIALLY WOODED

Proposed Use: QUICK SERVE RESTAURANT AND FUTURE DEVELOPMENT BY OTHERS

Size of Tract: 50.04 ACRES **Land Lot Numbers:** 131 **Districts:** 06

Gross Density: N/A **units per acre** **Net Density:** N/A **units per acre**

Property Tax Parcel Number: 168 0190

(For Office Use Only)

Total Amount Paid \$ Cash Check # Received by:

Application checked by: Date: Map Number(s):

Planning Commission: Approved ☐ Denied ☐ Date: Conditions: No ☐ Yes ☐ How many:

City Council Decision: Approved ☐ Denied ☐ Date: Conditions: No ☐ Yes ☐ How many:

Manager's Signature: Date:



CASE # _____
UDC TEXT/ZONING MAP

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

I, Derek Oberschall, hereby state that all of the above statements and statements contained in the documents submitted with this application are true.

[Signature]
Signature of Applicant

5/24/19
Date

Required Materials to Accompany the Application for Zoning Map Amendment:

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

- ☒ 1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- ☒ 2. A site development plan prepared in conformance with submittal requirements (unless waived by Community Development Manager or requested zoning district is Single-Family Residential).
- ☒ 3. A written statement describing the following:
 - a. The proposed uses and the effect the proposed use may have on surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Code;
 - b. Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan;
 - c. The areas which are most likely to be directly affected by such change and the likely effects;
 - d. Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts, or other social or economic conditions in the areas and zoning districts affected;
 - e. The proposed time schedule and phasing for development;
 - f. The source/method for providing utility/infrastructure services to the property;
 - g. A description of existing road conditions and any new roads to be included in the development and of the effect the proposed development will have on existing road and traffic conditions; and
 - h. A list of any state, federal, or other public agencies' approvals or permits required for the proposed development.

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

Required Materials to Accompany the Application for UDC Text Amendment:

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

Proposed text amendment;

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



CASE # _____
UDC TEXT/ZONING MAP

Disclosure of Campaign Contributions

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

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

Yes _____ No ☒

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

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

We certify that the foregoing information is true and correct, this 24th day of May, 2019.

Derek Oberschall
Applicant's Name – Printed

[Signature]
Signature of Applicant

Applicant's Attorney, if applicable – Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 24th day of May, 2019.

Rebecca L. Bailey
Notary Public



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



Impact Analysis

Applicant Name: CSC PROPERTIES, LLC

Analyze the impact of the proposed rezoning and answer the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties? YES. THE PROPOSED ZONING IS CONSISTENT WITH ADJACENT PROPERTIES ALONG THE GA HIGHWAY 61 CORRIDOR. ADJACENT PROPERTIES TO THE NORTH (ACROSS NE HICKORY LEVEL ROAD) AND TO THE EAST (ACROSS GA HIGHWAY 61) ARE ZONED GENERAL COMMERCIAL.
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? THE PROPOSED ZONING DESIGNATION IS NOT INTENDED TO ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTIES. THE PROPOSED ZONING DESIGNATION IS INTENDED TO BENEFIT THE NEARBY PROPERTIES BY PROVIDING COMMERCIAL SERVICES.
3. Does the property to be affected by the zoning proposal have a reasonable economic use as currently zoned? NO. THE PROPOSED ANNEXATION AND REZONING ARE NEEDED IN ORDER TO GAIN ACCESS TO THE CITY-OWNED WATER AND SEWER UTILITIES. ACCESS TO THESE UTILITIES IS VITAL TO THE DEVELOPMENT OF THE SUBJECT PARCEL.
4. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? THE PROPOSED ANNEXATION AND REZONING IS NOT ANTICIPATED TO CREATE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS.
5. Is the zoning proposal in conformity with the policy and intent of the Comprehensive Land Use Plan? THE COMPREHENSIVE LAND USE PLAN DESIGNATES THE SUBJECT PROPERTY AS A "SUBURBAN VILLAGE" CHARACTER AREA ON THE VILLA RICA FUTURE DEVELOPMENT MAP. THE SUBURBAN VILLAGE CHARACTER AREA LISTS RESTAURANTS AND RETAIL AS POSSIBLE PRIMARY FUTURE LAND USES, WHICH IS CONSISTENT WITH THE PROPOSED USE OF THE SUBJECT PROPERTY.
6. Are there other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal? THE PROPOSED ZONING IS CONSISTENT WITH ADJACENT PROPERTIES ALONG THE GA HIGHWAY 61 CORRIDOR. THE PROPOSED ZONING IS CONSISTENT WITH THE COMPREHENSIVE LAND USE PLAN AND IS ANTICIPATED TO PROVIDE ADDED ECONOMIC VALUE TO THE CITY OF VILLA RICA.

Attach additional sheets as needed

LETTER OF AUTHORIZATION
Popeye's Louisiana Kitchen
City of Villa Rica, Carroll County, Georgia

Parcel ID Number: 168 0190

I authorize Joseph Oliveri of Oliveri Architects, or his agent, and/or V. Derek Oberschall or Charles Aldrich of CSC Properties, LLC to apply for all necessary building permits on my behalf as necessary for the development of this project.

OWNER:

Signature: 

Print Name: ASHISH PATEL / BAPU ENTERPRISE LLC.

Signature: _____

Print Name: _____

Address: 976 W. POINTE CT.

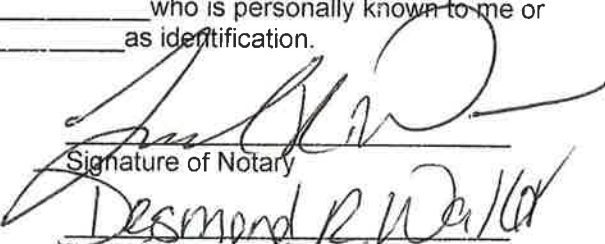
City, State: LITHIA SPRINGS GA 30122

Phone: (404) 213-8388

State of Ga

County of Douglas

The foregoing instrument was certified and subscribed before me this 20 day of May, 2019 by Ashish Patel who is personally known to me or who has produced Driver license as identification.


Signature of Notary

Desmond R. Walker
Print Name of Notary



LEGAL DESCRIPTION:

All tract or parcel of land lying and being in Land Lots 126 and 131, of the 6th District, Carroll County, Georgia, and being more particularly described as follows:

Commencing at a 1/2-inch capped rebar found at the intersection of the southerly right of way of NE Hickory Level Road (having a variable width right of way) and the westerly right of way of Georgia Highway 61 (having a variable width right of way), said capped rebar being the TRUE POINT OF BEGINNING.

Thence continuing along said right of way of Georgia Highway 61 the following courses and distances: South 64 degrees 00 minutes 44 seconds East a distance of 25.43 feet to a 1/2-inch capped rebar found; South 11 degrees 23 minutes 41 seconds East a distance of 137.97 feet to a concrete right of way monument found; South 14 degrees 21 minutes 05 seconds East a distance of 527.04 feet to a concrete right of way monument found; South 14 degrees 37 minutes 22 seconds East a distance of 1149.48 feet to a 1/2-inch rebar found; South 01 degrees 46 minutes 00 seconds West a distance of 85.63 feet to a concrete right of way monument found; South 07 degrees 30 minutes 22 seconds East a distance of 184.89 feet to a concrete right of way monument found; South 05 degrees 13 minutes 30 seconds West a distance of 301.36 feet to a 2-inch open top pipe found; Thence leaving said right of way North 86 degrees 54 minutes 01 seconds West a distance of 1129.92 feet to a point at the center line of said creek; Thence continuing along said center line creek the following courses and distances: South 22 degrees 14 minutes 39 seconds East a distance of 27.61 feet to a point; South 34 degrees 43 minutes 56 seconds West a distance of 12.81 feet to a point; South 85 degrees 00 minutes 36 seconds West a distance of 18.54 feet to a point; South 38 degrees 10 minutes 52 seconds West a distance of 18.45 feet to a point; Thence leaving said center line of creek North 00 degrees 05 minutes 13 seconds East a distance of 1164.36 feet to a 1/2-inch rebar found; Thence North 00 degrees 06 minutes 00 seconds East a distance of 890.02 feet to a 1/2-inch rebar found; Thence North 00 degrees 58 minutes 41 seconds West a distance of 10.90 feet to a 1/2-inch capped rebar found on the southerly right of way of NE Hickory Level Road; Thence continuing along said right of way the following courses and distances: North 69 degrees 36 minutes 48 seconds East a distance of 642.28 feet to a concrete right of way monument found; North 64 degrees 36 minutes 51 seconds East a distance of 93.94 feet to a 1/2-inch capped rebar found, said capped rebar being the TRUE POINT OF BEGINNING.

Said tract or parcel of land containing 50.031 acres (2,179,372 square feet).

REAL ESTATE PURCHASE AGREEMENT

CSC Properties, LLC, a Florida limited liability company (the "Purchaser") and BAFU Enterprises, Inc., a Georgia (the "Seller"), enter into this Real Estate Purchase Agreement (the "Agreement") as of the Effective Date (as defined below).

In consideration of the mutual covenants and obligations contained in this Agreement, the receipt and sufficiency of which the parties hereby acknowledge, the Purchaser and the Seller agree as follows:

- 1. Agreement to Sell and Purchase.** Subject to the terms and conditions of this Agreement, the Seller agrees to sell and the Purchaser agrees to purchase certain real estate described on Exhibit A attached to and made a part of this Agreement, together with all improvements located on said real estate, if any; all easements and appurtenances belonging or appertaining to the real estate; all strips between the real estate and any abutting real estate; and any existing or proposed streets, highways, alleys, or right-of-way on or adjacent to the real estate (collectively, the "Property"). If a difference exists between the description of the Property set forth on Exhibit A and the legal description as determined by the survey described in Section 6 of this Agreement, the legal description on said survey shall be substituted on Exhibit A, on the title commitment (hereinafter defined), the deed of conveyance and all other documents describing the Property.
- 2. Purchase Price and Earnest Money.** The purchase price for the Property is [REDACTED] NET (the "Purchase Price"). On the Closing Date (as defined below), the Purchaser shall pay the Purchase Price to the Seller by wire transfer of immediately available funds, subject to the credits and adjustments described below. The Purchaser shall deposit \$500.00 (the "Earnest Money") with the Escrow Agent (as defined below), within 10 business days after the Purchaser's receipt of a fully-executed counterpart of this Agreement. The Earnest Money shall be applied toward the Purchase Price at Closing. Upon Seller's completion of annexation into the City of Villa Rica and re-zoning of the Property for Purchaser's intended use the Purchaser shall deposit an additional \$9,500.00 in escrow which shall become a part of the Earnest Money and applicable to the Purchase Price.
- 3. Escrow Agent.** The Escrow Agent shall be Weissman Attorneys at Law, whose address is One Alliance Center, 4th Floor, 3500 Lenox Road, Atlanta, GA 30326, phone (404) 926-4500, fax (404) 926-4600, attention Samuel Feldman, samf@weissman.law, which shall hold the Earnest Money in accordance with the terms of this Agreement.
- 4. Effective Date.** The "Effective Date" of this Agreement shall mean the date when the Escrow Agent receives the Earnest Money and a copy of this Agreement executed by the Seller and the Purchaser. The Escrow Agent shall sign and date the receipt of this Agreement, a copy of which is attached hereto, and promptly send a copy thereof to Seller and Purchaser.
- 5. Title Commitment and Seller Due Diligence.** Within 30 days after the Effective Date, the Purchaser shall obtain at the Purchaser's sole cost and expense, including any attorney's examination fee or search fee, a Commitment for Title Insurance (the "Title Commitment") for an ALTA Owner's Policy of Title Insurance (the "Title Policy") from a title company (the "Title Company") dated after the Effective Date, showing good and marketable title vested in the Seller and proposing to insure the Purchaser's title to the Property in the amount of the Purchase Price of the Property. The Title Commitment shall show all matters affecting title to the Property, including all exceptions, easements, restrictions, right-of-ways, covenants, reservations, encumbrances and conditions, legible copies of which shall be delivered to Purchaser with the Title Commitment. Within 10 days of the execution of this Agreement the Seller shall provide to the Purchaser a copy of Seller's Title Policy, Survey, Environmental Reports and any other due diligence items the Seller has in its possession.
- 6. Survey.** The Purchaser may obtain, at the Purchaser's sole cost and expense, a current survey (the "Survey") of the Property, dated after the Effective Date, prepared by a licensed surveyor designated by the Purchaser, certified to the Purchaser, Seller. The Escrow Agent and the Title Company,

CAR JW

made in conformance with requirements of the State of Georgia and sufficient to allow the Title Company to delete the standard printed survey exception.

7. Title and Survey Objections. No later than 7 days before the expiration of the Inspection Period (as defined below), the Purchaser shall give notice to the Seller of any matters contained in the Title Commitment or the Survey to which the Purchaser objects. Any matters which the Title Company identifies as conditions to the issuance of the Title Policy may constitute objections by the Purchaser. Any matters in the Title Commitment or Survey to which the Purchaser does not object shall constitute "Permitted Exceptions."

8. Curing Objections. The Seller shall have 30 days after its receipt of the notice specified in Section 7 of this Agreement (the "Cure Period") to use its best efforts to cure the objections to the satisfaction of the Purchaser. If the Seller gives the Purchaser notice that the Seller cannot cure the objections or if the Seller fails to cure the objections within the Cure Period, the Purchaser shall have the right (a) to extend the Seller's period for the curing the objections, (b) to waive any one or more of the objections and proceed to closing, or (c) to terminate this Agreement by giving written notice to Seller and Escrow Agent, whereupon Purchaser shall receive back all of the Earnest Money.

9. Inspection Period. The Purchaser shall have 120 days from the date the Seller provides written confirmation from the appropriate governmental authority that the Property has been annexed into the City of Villa Rica and zoned for Purchaser's intended use as a fast food restaurant (the "Inspection Period") for its authorized agents and representatives to enter upon the Property to conduct all inspections and investigations which the Purchaser deems prudent, including (without limitation) appraisals; site inspections; soil, groundwater, percolation, and other miscellaneous tests; engineering, planning and feasibility studies; environmental inspections; a study of the availability of utilities, drainage, access, and sewer/water facilities; and any other investigations the Purchaser may desire to determine the suitability of the Property. The Purchaser, in the conduct of its investigation, shall not interfere unreasonably with any existing operations on the Property. If any of the foregoing investigations indicate conditions that are unsatisfactory to the Purchaser or if the Purchaser, for any reason, in its sole discretion, decides not to proceed with the purchase of the Property during the Inspection Period, the Purchaser shall give the Seller written notice of termination on or before the expiration of the Inspection Period. In that event, this Agreement shall terminate and have no further force or effect, and the Purchaser and Seller agree that Purchaser shall have the sole authority to instruct the Escrow Agent by copy of the written notice of termination to return the Earnest Money to Purchaser. If the Purchaser has not terminated this Agreement during the Inspection Period, then within 3 days of the expiration of Inspection Period the Purchaser shall deposit an additional \$10,000.00 into escrow which shall become a part of the Earnest Money and applicable to the Purchase Price. At the end of the Inspection Period the Earnest Money shall become non-refundable to the Purchaser.

10. Permitting Period. The Purchaser shall have a period of 120 days after the Inspection Period (the "Permitting Period") to enable the Purchaser to obtain all zoning changes, permits and approvals necessary (the "Necessary Items") to develop the Property for Purchaser's intended use (the "Intended Use"). If the Purchaser has not obtained all Necessary Items within the Permitting Period, the Purchaser shall have the right to extend the Permitting Period, upon written notice to the Seller, for three additional periods of 30 days each. The Purchaser shall deposit an additional \$2,500.00 into escrow for each extension the Purchaser exercises which shall become a part of the Earnest Money and applicable to the Purchase Price. During the Permitting Period, Seller will cooperate fully, at no cost to it, with Purchaser's efforts to obtain the Necessary Items.

11. Representations and Warranties of the Seller. The Seller represents and warrants to the Purchaser as follows:

(a) Title and Authority. The Seller owns good and marketable title to the Property and has the full power and authority to convey the Property pursuant to the terms of this Agreement.

(b) Zoning. Seller warrants that the Property zoning is Manufactured Home Development.

(c) Proceedings. The Seller has no actual or constructive knowledge of (1) any proposed public improvements or condemnations which may result in special assessments or in any reduction in the usefulness of the Property, (2) any plans or requirements for the alteration or correction of any existing conditions of the Property, (3) any reason to question the suitability of the Property's soil conditions for the Intended Use or (4) any other facts that might adversely affect the condition, suitability or usefulness of the Property for the Intended Use.

(d) Hazardous Materials. To the best of Seller's knowledge, any use, storage, treatment or transportation of Hazardous Materials (as defined below) which occurred in or on the Property prior to the date of this Agreement complied with all applicable federal, state and local laws, regulations and ordinances. In addition, to the best of the Seller's knowledge, no release, leak, discharge, spill, disposal or emission of Hazardous Materials (as defined below) has occurred in, on or under the Property or any other property in the vicinity thereof, and the Property is free of Hazardous Materials. As used in this Section 11(d), the phrase "Hazardous Materials" shall mean (1) any "hazardous waste" as defined by the Resource Conservation and Recovery Act of 1976, as amended from time to time, and the regulations promulgated under the act; (2) any "hazardous substances" as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended from time to time, and the regulations promulgated under that act; (3) any oil, petroleum products, or their by-products; and (4) any substances now regulated by any federal, state or local governmental authority.

(e) Other Law. The Seller has no actual or constructive knowledge of the violation of any other applicable law, ordinance, regulation or rule relating to the Property.

The foregoing representations and warranties shall survive the closing and shall not merge with the deed delivered for the Property.

12. Conditions to Closing. All of the Purchaser's liabilities and obligations to purchase the Property shall depend on the satisfaction of all of the following conditions precedent to closing:

(a) Platting. If platting, replatting, or other partitioning and/or subdividing of the Property is required as a Necessary Item or to otherwise transfer the Property at closing, Purchaser shall have obtained same, at Purchaser's sole cost and expense.

(b) Seller's Representations and Warranties. The Purchaser shall not have discovered any inaccuracy in any of the Seller's representations or warranties set forth in this Agreement.

(c) Necessary Items. The Purchaser shall have obtained all Necessary Items.

If the Purchaser determines that any of the foregoing conditions have not been satisfied to the Purchaser's satisfaction, the Purchaser shall have the right to terminate this Agreement upon notice to the Seller.

13. Risk of Loss: Eminent Domain: If any portion of the Property is materially damaged by casualty before closing, or Seller negotiates with a governmental authority to transfer all or part of the Property in lieu of eminent domain proceedings, or if an eminent domain proceeding is initiated, Seller will promptly inform Purchaser in writing. Within 10 days from receipt by Purchaser of such notice, Purchaser may either (1) terminate this Agreement and have its Earnest Money returned or (2) close in accordance with this Agreement and receive all payments made by the government authority or insurance company, if any.

14. Closing Date: The closing shall take place at the Title Company's office 30 days after the expiration of the Permitting Period or on an earlier date mutually agreeable to the parties. The parties shall prepare all closing documents in advance to allow for the execution of all closing documents by the authorized representatives of the parties prior to the Closing Date. Neither party shall have the obligation to have an authorized representative physically present at the closing.

15. Closing Documents: The Seller shall deliver the following documents on the Closing Date:

(a) Warranty Deed: The Seller shall deliver a limited warranty deed executed and acknowledged by the Seller and conveying to the Purchaser good and marketable title to the Property, free and clear of all restrictions, easements, liens, encroachments, and encumbrances except the Permitted Exceptions. In the event any mortgage, lien or other encumbrance encumbers the Property at Closing and is not paid and satisfied by Seller, such mortgage, lien or encumbrance shall be satisfied and paid with the proceeds of the Purchase Price.

(b) Title Policy: The Purchaser shall furnish, at the Purchaser's sole cost and expense, an ALTA Owner's Policy of Title Insurance issued by the Title Company. The amount of the title insurance shall equal the Purchase Price (plus any additional amount requested and paid for by the Purchaser) and the Title Policy shall guarantee the Purchaser's title to the Property as good and marketable, subject only to (1) the Permitted Exceptions, (2) taxes for the current year and subsequent years, and (3) unrecorded governmental rights and regulations, including (without limitation) building and zoning ordinances.

(c) Affidavit: On the Closing Date, the Seller shall deliver to the Purchaser and the Title Company one or more affidavits that (1) the Seller is not a "foreign person" as defined by the Internal Revenue Code of 1986, as amended, (2) no outstanding construction lien rights exist regarding the Property, (3) the Property is not subject to any lease, oral or written, (4) the Seller has paid all utility charges, if any, regarding the Property, and (5) any other matter reasonably requested by the Purchaser or the Title Company.

16. Closing Costs: The Seller and the Purchaser shall allocate and prorate all closing costs as follows:

(a) Taxes: The Seller and the Purchaser shall prorate all taxes and assessments to the Closing Date. If the Title Company cannot determine the current year's taxes as of the Closing Date, the Seller and the Purchaser shall base the proration on the previous

year's gross taxes, with an adjustment between the Seller and the Purchaser when the current year's taxes become known.

(b) Fees and Costs. The Purchaser shall pay any and all customary closing costs, fees and other charges of the Title Company. The Purchaser and the Seller shall pay their respective attorneys' fees.

(c) Transfer Taxes, Documentary Stamps, and Recording Fees. The Purchaser shall pay any and all transfer taxes, documentary stamps, and recording fees.

(d) Rents and other Payments. The Seller and the Purchaser shall prorate any and all rents, expenses, and other items relating to the Property to the Closing Date.

(e) Commissions. The Purchaser shall pay a real estate brokerage commission of 2.5% of the Purchase Price to Coldwell Banker Atlanta at closing.

17. Possession. On the Closing Date, the Seller shall deliver exclusive possession of the Property to the Purchaser coincident with the closing, free, clear and discharged of possession or use and the right of possession or use by any and all individuals and entities, and released of any and all dower, courtesy and homestead rights.

18. Default. If the Seller defaults under this Agreement and/or otherwise fails or refuses to close, the Purchaser's exclusive remedies shall consist of (1) termination of this Agreement; immediate refund of the Earnest Money and reimbursement of Purchaser's verifiable out-of-pocket expenses incurred in connection with its investigation and permitting of the Property (which reimbursement shall be made within 15 days after Seller's receipt of Purchaser's out-of-pocket expense documentation) or (2) specific performance of this Agreement. If the Purchaser defaults under this Agreement, the Seller's exclusive remedy shall consist of the termination of the Agreement and the retention of the Earnest Money as liquidated damages, not as a penalty, but as reasonable compensation to the Seller.

19. Assignability. The Purchaser shall have the right to assign the Purchaser's right, title and interest in this Agreement (in which event, Purchaser shall not be relieved of its obligations hereunder) and shall have the right to designate a nominee to receive title and conveyance of the Property. Each party shall cooperate with the other in the event either elects to participate in a like-kind exchange.

20. Waiver. The failure of a party to insist in any one or more instances on the performance of any term or condition of this Agreement shall not operate as a waiver of any future performance of that term or condition.

21. Governing Law. Notwithstanding the place where the parties execute this Agreement, the internal laws of Georgia shall govern the construction of the terms and the application of the provisions of this Agreement.

22. Headings and Binding Effect. The headings used in this Agreement appear strictly for the parties' convenience in identifying the provisions of this Agreement and shall not affect the construction or interpretation of the provisions of this Agreement. This Agreement binds and inures to the benefit of the parties and their respective successors, legal representatives, heirs and permitted assigns.

23. Radon Gas Disclosure. Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it

over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Georgia. Additional information regarding radon and radon testing may be obtained from your county public health unit.

24. Severability. If a court of competent jurisdiction holds any provision of this Agreement invalid or ineffective with respect to any person or circumstance, the holding shall not affect the remainder of this Agreement or the application of this Agreement to any other person or circumstance. If a court of competent jurisdiction holds any provision of this Agreement too broad to allow enforcement of the provision to its full extent, the court shall have the power and authority to enforce the provision to the maximum extent permitted by law and may modify the scope of the provision accordingly pursuant to an order of the court.

25. Amendments. No amendments to this Agreement shall become effective or binding on the parties, unless agreed to in writing by all of the parties.

26. Time. Time constitutes an essential part of each and every part of this Agreement.

27. Holidays and Weekends. If the terms of this Agreement provide for the performance of any act or the expiration of any time period on a Saturday, Sunday or federal holiday, the due date or the expiration date shall take place on the next date that is not a Saturday, Sunday or federal holiday.

28. Notice. Except as otherwise provided in this Agreement, when this Agreement makes provision for notice or concurrence of any kind, the sending party shall deliver or address the notice to the other party by certified mail or hand delivery via a nationally-recognized overnight delivery service, charges prepaid and properly addressed, to the following address or by telecopy to the following telecopy number:

Purchaser:

CSC Properties, LLC.
Attn: James Walker
5795 Ulmerton Rd Suite 206
Clearwater, FL 33760
Telephone: (727) 446-3444
Fax: (727) 346-1253
Tax ID # 27-0640655
Email: jwalker@cscproperties.com

Seller:

BAPU Enterprises, LLC
4408 North Blair Bridge Road
Aurora, GA 30133
Tel: 404 213-8358
Fax: _____
Tax ID# _____
Email: ABHESH.PATEL1981@GMAIL.COM

976 W. Pointe Dr.
Lithia Springs
GA 30122

Each party may change the party's address by giving written notice to the other party.

29. Electronic Signatures. This Agreement may be executed in electronic form by one or more parties, which electronic signature shall be deemed the same as an original signature and binding on all parties to this Agreement.

ABHESH

30. ~~Signs~~ From the Effective Date of this Agreement ~~until closing~~ Purchaser shall the right to install Purchaser's real estate development signs on the Property.

31. Grading. The Purchaser agrees to grade the Property to within two feet of the crown/centerline grade of Hickory Level Road. Based on the topographical requirements to grade and level the Property, if Purchaser has any excess fill remaining Purchaser agrees to locate the excess fill on the Seller's remaining property south of the gas line easement at a location of Purchaser's discretion.

32. Cross Access. The Seller and Purchaser shall enter into a Cross Access Easement Agreement to allow Seller ingress and egress over the Property to Hickory Level Road and SR 61 as generally depicted on Exhibit B. The Purchaser shall prepare the Cross-Access Easement Agreement, the terms of which shall be mutually agreed upon by the Purchaser and the Seller, no later than the end of the Permitting Period.

33. Property Size. Seller agrees Purchaser will be acquiring approximately ^{1.5} ~~800~~ acres of Seller's overall property depicted as Parcel A on Exhibit A. Seller and Purchaser mutually agree the exact western boundary is subject to change based on a fully engineered civil site plan. If Purchaser is unable to comply with all governmental requirements, i.e. retention ponds, buffering, setbacks, etc. to develop the Property for Purchaser's intended use solely on Parcel A, Seller agrees to provide to Purchaser additional property from Parcel B as needed to conform to all governmental requirements at no additional charge to the Purchaser. Purchaser agrees that if less property is required on Parcel A to conform to all governmental regulations to develop the Property for Purchaser's intended use, then the Purchaser shall allow the Seller to retain the additional property at no reducing to the Purchase Price.

Executed as of the day and year first set forth below.

Purchaser:

CSC Properties, LLC
By: CSC Properties, Inc., its authorized member

By: [Signature]
James L. Walker
President

7.7.18

Seller:

BAPU Enterprises, LLC

Name: ASHISH FATEL

By: Ashish Patel

IP: MANAGING MEMBER

Date: 8/29/2018

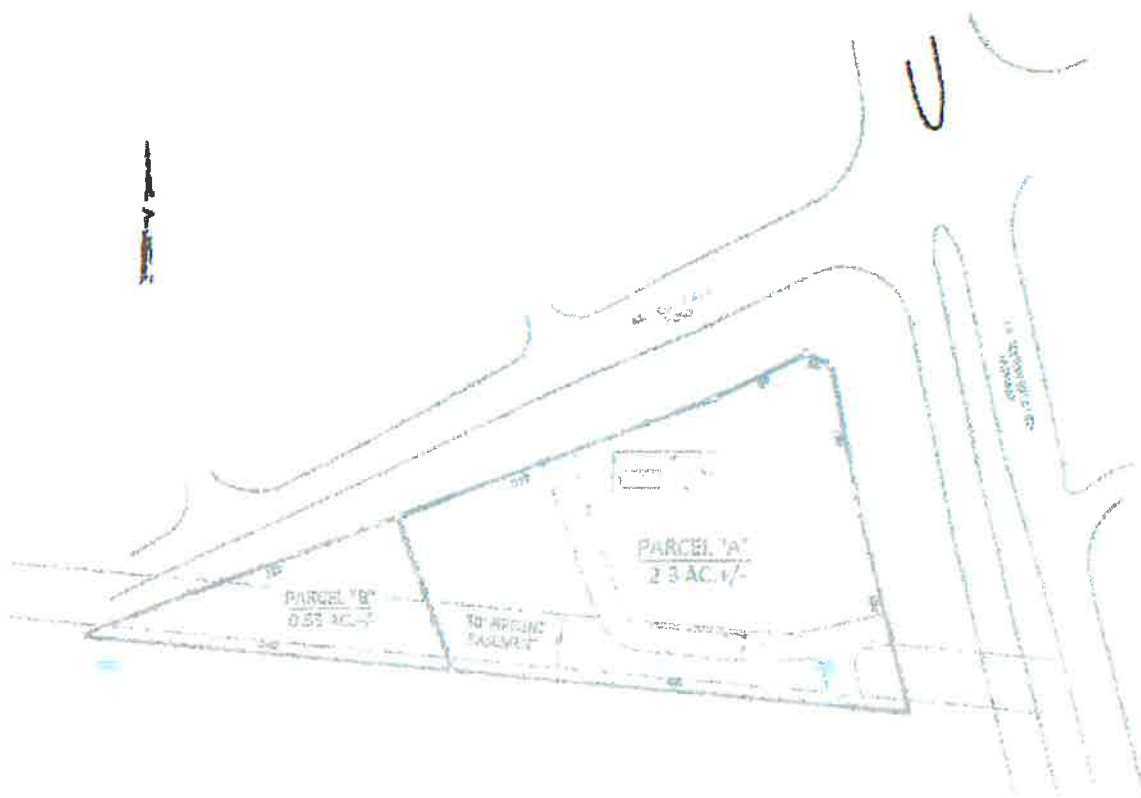
Exhibit A

Legal Description

(Exact legal description to be inserted)

1.5 (AG)

Approximately 2.3 acres of Carroll County Georgia Parcel ID #168 0190 as depicted below on Parcel A - Western boundary subject to change based on retainage and buffering requirements of a fully engineered civil site plan.



AB 7W

VILLA RICA, GEORGIA

PROPOSED DEVELOPMENT

Carrollton Villa Rica Hwy (SR 61) at Hickory Level Rd, Carroll County



2016 Demographics (Esri)

	3 mile	5 mile	7 mile
Population	15,116	36,100	56,475
Pop Grow (16-21)	0.44%	0.80%	0.90%
Avg. HH Income	\$58,356	\$68,165	\$69,336
Median Age	33.9	35.1	36.1
Households	5,413	12,610	19,756

GDOT 2015 Avg. Daily Traffic Counts

Carrollton Villa Rica Hwy (North):	30,900
Carrollton Villa Rica Hwy (South):	30,200

- **Multiple Anchor Spaces**
- **50.04 ACRES AVAILABLE**
- **Proximity to I-20**
- **MAJOR THOROUGHFARE**
- **Excellent Visibility and Access**



Sofran Partners **Freddie Crenshaw**

1450 S Johnson Ferry Road, Suite 150, Atlanta, Georgia 30319
(770) 351-9300, FAX (770) 351-9302

fcrenshaw@sofranpartners.com , www.sofranpartners.com



Imagery Date: 11/9/2012 33°43'10"



20

20

61

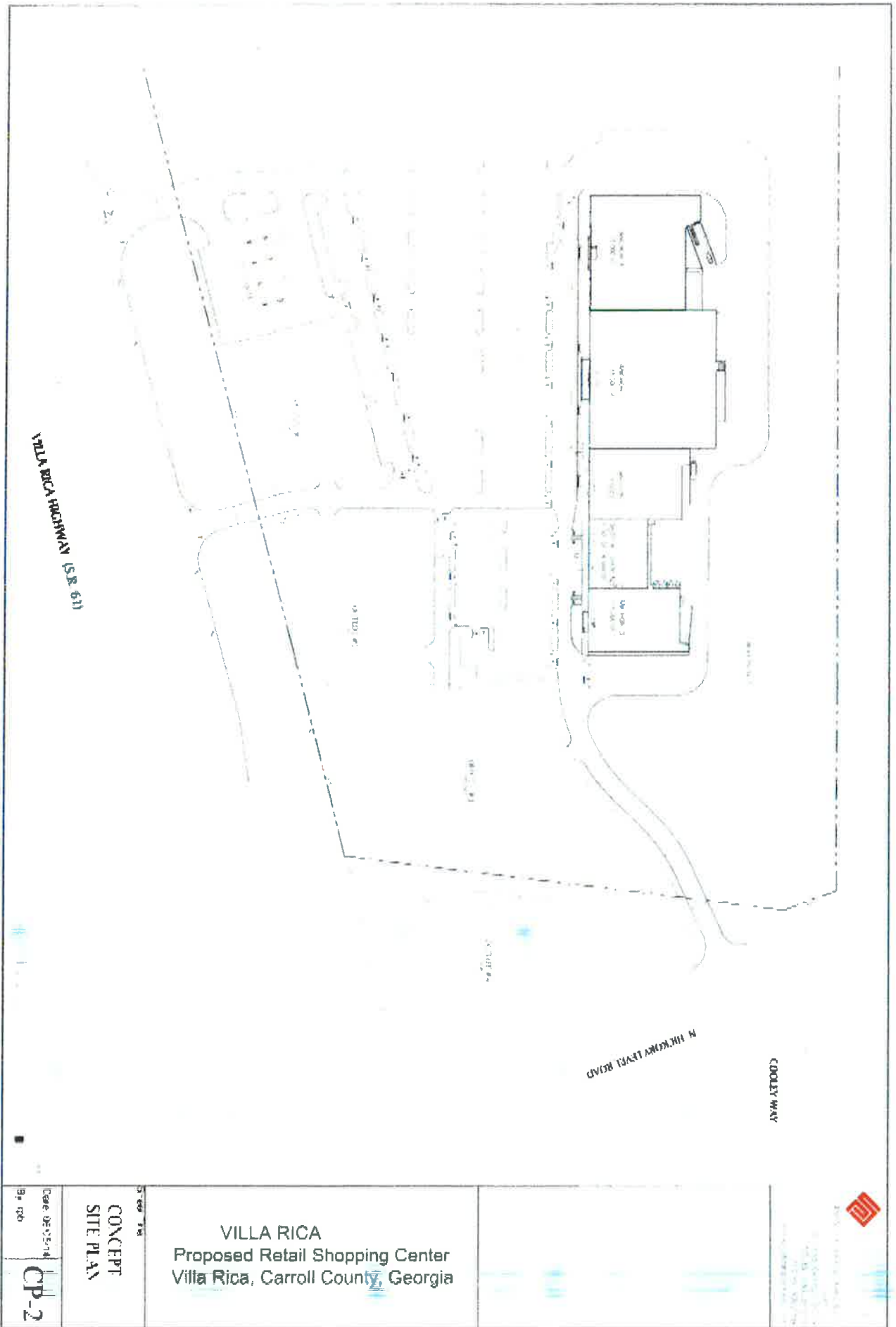
61



Satellite Earth

© 2013 Europa-Technologies

© 2013 Google



VILLA RICA HIGHWAY (SR 61)

N HICKORY LEVEL ROAD

COOLLEY WAY



DESIGNER: [Firm Name]

DATE: [Date]

PROJECT: [Project Name]

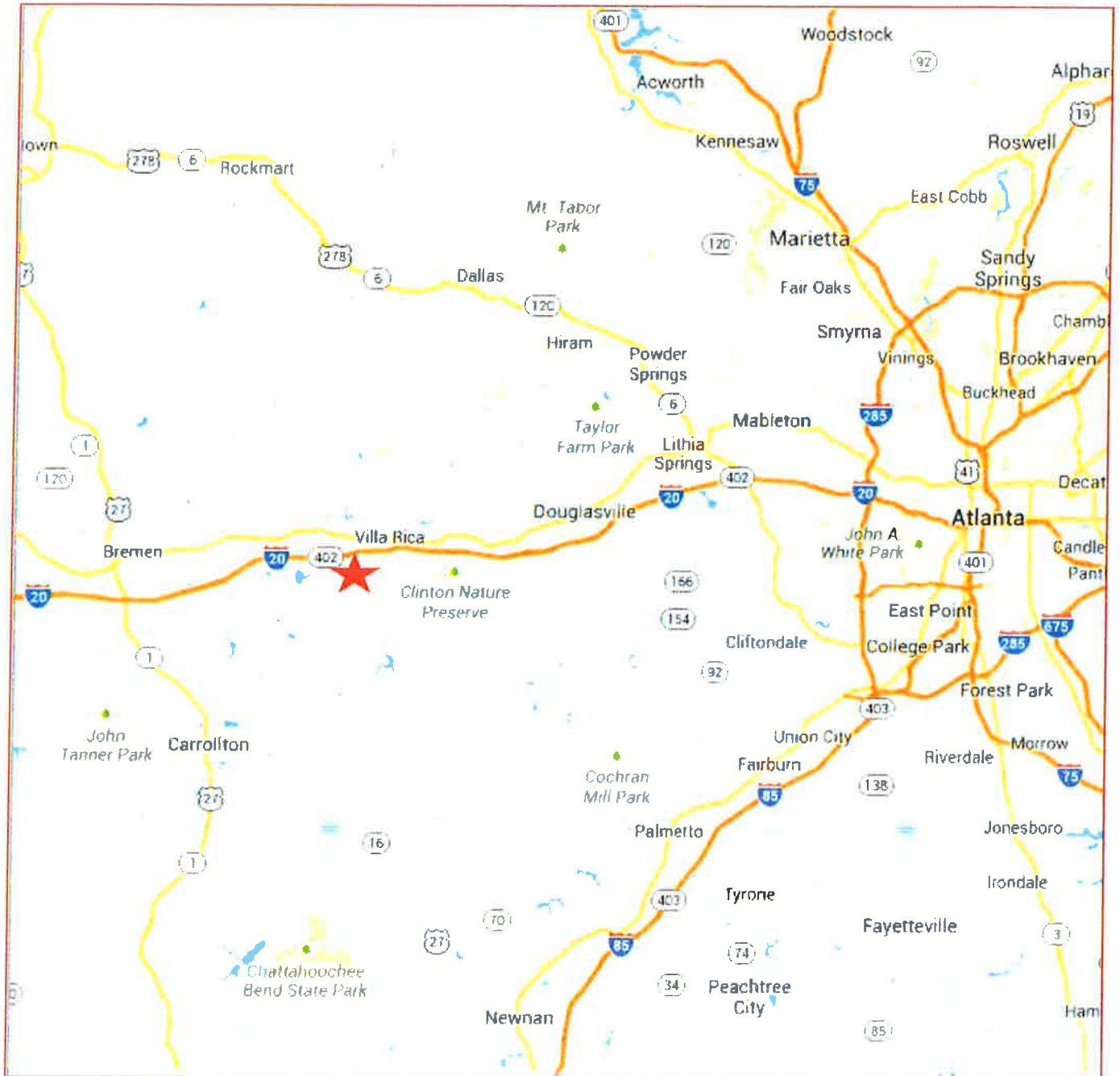
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VILLA RICA
Proposed Retail Shopping Center
Villa Rica, Carroll County, Georgia

CONCEPT
SITE PLAN

DATE: 08/25/14
BY: [Name]
CP-2

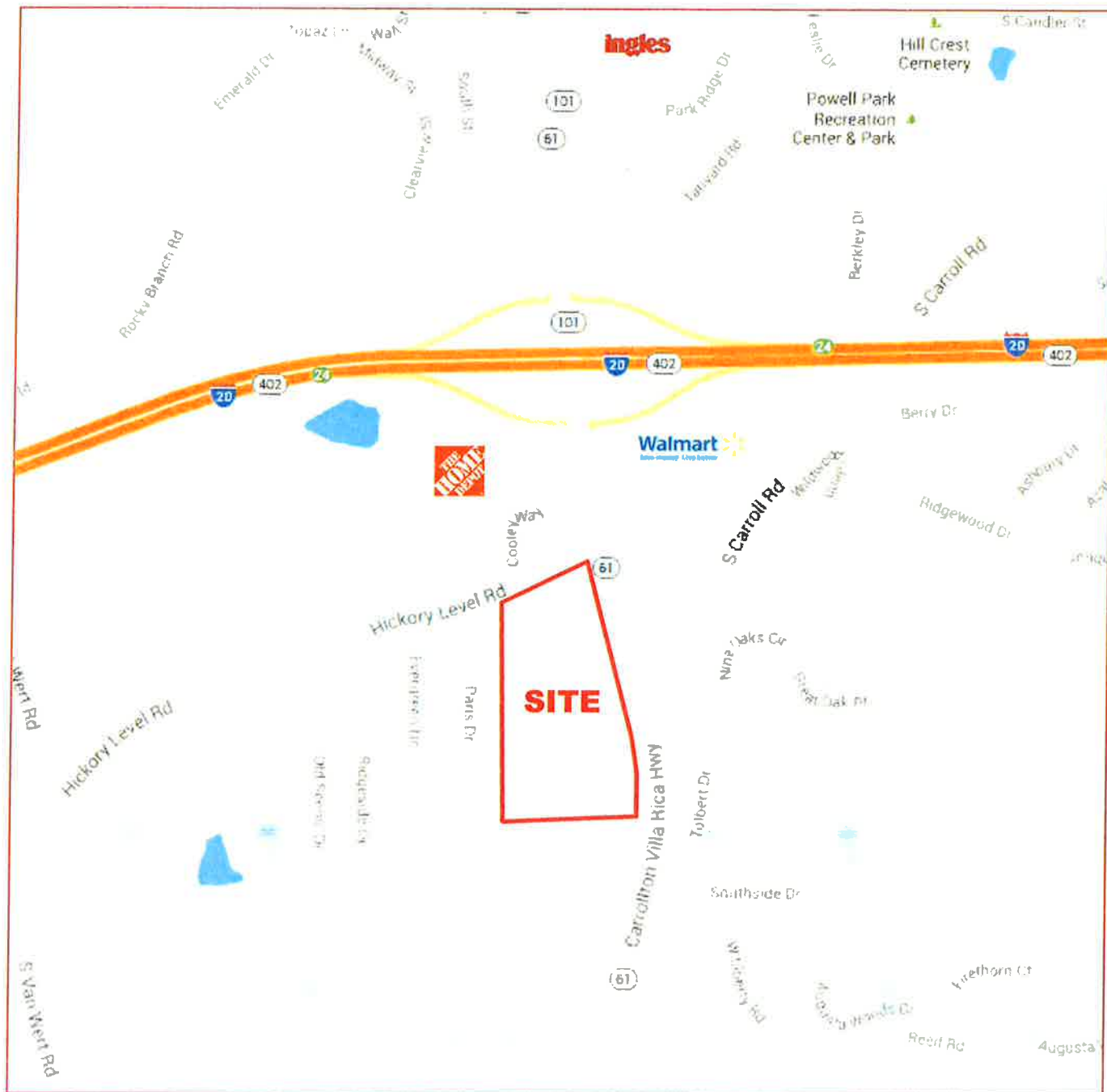
GEORGIA STATE MAP



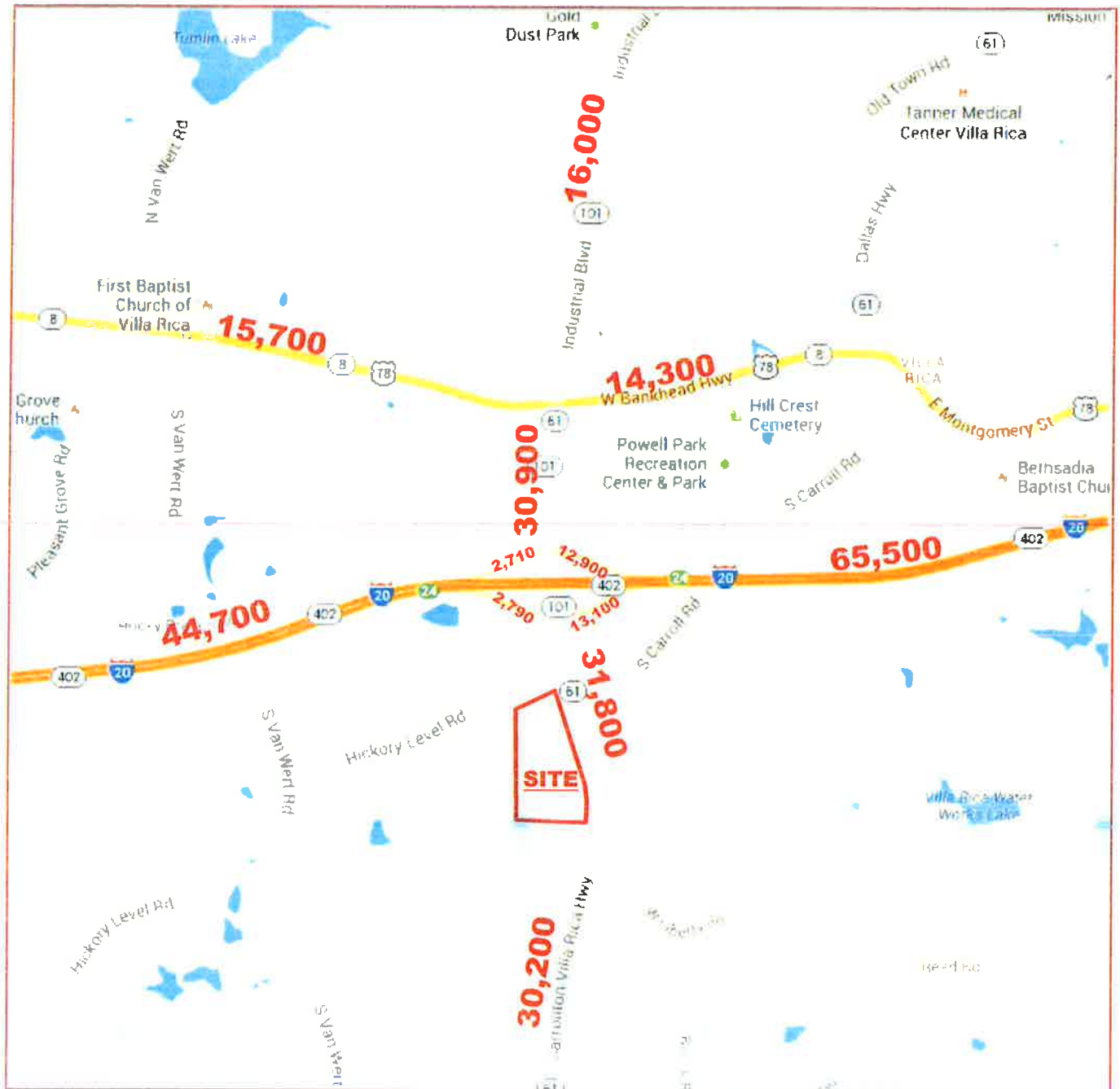
VILLA RICA AREA MAP



SITE MAP



GDOT 2015 TRAFFIC MAP



July 8, 2019

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

SUBJECT: Applicant Statement for Annexation and Rezoning (SWC of NE Hickory Level Road and GA-61)

Mr. Johnson,

The proposed quick-service restaurant is anticipated to take approximately 4 months to design and permit (once annexation and rezoning processes are complete). Construction of the quick-service restaurant is anticipated to take approximately 6 months to complete, once all approvals have been issued. The schedule of the remaining portion of the parcel is unknown at this time. The proposed quick-service restaurant shall be considered Phase 1 of this development. Phase 2 and subsequent phases are unknown at this time.

Sincerely,



Connor Paton
Foresite Group, Inc.



**Planning & Zoning Commission
Community Development Department**

Regular Public Hearing
Tuesday, August 06, 2019

The Planning & Zoning Commission met in a regular public hearing on Tuesday, August 06, 2019 at 6:00 p.m. In attendance was Chairman Kurt Kraft, Vice-Chairman John Hannabach, Commissioner Willie Marchman and Commissioner Mac Pilgrim, Ron Johnson – Planning & Zoning Specialist and Kirsten Pilgrim – Administrative Assistant. Commissioner Tom Flowers was not present for the hearing. There were approximately 17 guests in attendance.

Chairman Kurt Kraft called the meeting to order at 6:00 p.m.

AGENDA ADOPTION:

RESULT:	APPROVED UNANIMOUS; 4/0 (With Conditions)
CONDITION:	Separate the Annexation and Rezoning request of the property located at the corner of Georgia Highway 61 and Hickory Level road for the construction of Popeye's into two actions items to be presented to the commission board.
MOVER:	Vice-Chairman John Hannabach
SECONDER:	Commissioner Willie Marchman
AYES:	Chairman Kurt Kraft, Vice-Chairman John Hannabach, Commissioner Willie Marchman and Commissioner Mac Pilgrim

MINUTES ADOPTION: 06/04/2019

RESULT:	APPROVED; 3/1
MOVER:	Vice-Chairman John Hannabach
SECONDER:	Commissioner Willie Marchman
AYES:	Chairman Kurt Kraft, Vice-Chairman John Hannabach and Commissioner Willie Marchman
ABSTAINED:	Commissioner Mac Pilgrim; on the condition that he was not a member of the Planning & Zoning Commission Board when the hearing commenced.

OLD BUSINESS:
None

NEW BUSINESS:

ANNEXATION APPLICATION:

ANNEX 01-19

An Annexation Application was submitted by Conner Patton of Forsite Group on behalf of Bapu Enterprise, LLC to the commission board to allow the property located at the southwest corner of Georgia Highway 61 and Hickory Level Road and the fifty acres, included, to be annexed abuts the existing boundary of Villa Rica, Georgia. The annexation request is appropriate for the city as sewer and water infrastructure currently run through the lot and the lot is bounded on three sides by the city limits. The application was approved and recommended to move forward to City Council.

PUBLIC COMMENTS

Councilman Matt Momtahan took to the podium to represent Ward 2 in which the location of the property corresponds. Mr. Momtahan is in favor of the Annexation request of the property located at the southwest corner of Georgia Highway 61 and Hickory Level Road under the following proposed stipulations:

- Applicant/Owner/Developer agrees to construct building facades of masonry or glass.
- Applicant/Owner/Developer agrees to submit a landscape plan which at a minimum includes a landscaped strip adjoining the Hickory Level Road right-of-way and Georgia Highway 61 right-of-way and plantings within the parking lots.
- Applicant/Owner/Developer agrees to install sidewalks to provide for inter-parcel and intra-parcel pedestrian traffic.
- Applicant/Owner/Developer agrees to install sidewalks to provide for inter-parcel and intra-parcel pedestrian traffic.
- Applicant/Owner/Developer agrees to design the parking lot and drives to provide for inter-parcel and intra-parcel vehicular traffic, including stub streets and, if feasible, and access road.
- Applicant/Owner/Developer agrees to submit a master signage plan which encourages the use of ground mounted monument signs particularly for single tenant parcels.

Jay Davis, Managing Director of Avemore Senior Living Project, took to the podium to state that he is favor of the property located at the southwest corner of Georgia Highway 61 and Hickory Level Road.

RESULT:	APPROVED UNANIMOUS; 4/0 (With Conditions)
MOVER:	Vice-Chairman John Hannabach
SECONDER:	Commissioner Willie Marchman
AYES:	Commissioner Kurt Kraft, Vice-Chairman John Hannabach, Commissioner Willie Marchman and Commissioner Mac Pilgrim
CONDITION:	That the Applicant/Owner/Development agree to the proposed stipulations submitted by Council Member Matt Momtahan.

REZONING APPLICATION:

RA-05-19

A Rezoning Application was submitted by Conner Patton of Forsite Group on behalf of Bapu Enterprise, LLC. to the commission board to allow the property located at the Southwest Corner of Georgia Highway 61 and Hickory Level Road and the fifty acres, included, to be rezoned from Carroll County's Manufactured Home Subdivision to General Commercial (GC). The proposed property is not currently located within City limits; however, it is located within the City's Urban Growth Boundary. The subject property is located along the Commercial Corridor designation in the Comp Plan, which includes (GC) as a compatible zoning classification. The application was approved and recommended to move forward to City Council.

PUBLIC COMMENTS

Councilman Matt Momtahan took to the podium to represent Ward 2 in which the location of the property corresponds. Mr. Momtahan is also in favor of the Rezoning request of the property located at the southwest corner of Georgia Highway 61 and Hickory Level Road under the following proposed stipulations stated above and to add that the structure of the building not include stucco material.

RESULT:	APPROVED UNANIMOUS; 4/0 (With Conditions)
MOVER:	Vice-Chairman John Hannabach
SECONDER:	Commissioner Mac Pilgrim
AYES:	Chairman Kurt Kraft, Vice-Chairman John Hannabach, Commissioner Willie Marchman and Commissioner Mac Pilgrim
CONDITION:	That the Applicant/Owner/Development agree to the proposed stipulations submitted by Councilman Matt Momtahan and any future development of the fifty acres of this property must submit an application to the Planning & Zoning Commission Board proposed by Vice-Chairman John Hannabach.

AVEMORE VILLAGE:

Jay Davis, Managing Director of Avemore Senior Living Project, presented an updated Master Plan of the Avemore Senior Living Project to the commission board. The first draft of the Master Plan had previously been reviewed and approved, under conditions, by the Planning & Zoning Commission Board in 2018. However, the plan has since been enhanced by the assistance of Architects and Engineers due to the first draft not including enough detail. After review and deliberation, the Commissioners were pleased with the recommended grammatical and content changes that has been made to the Master Plan. The Master Plan will be presented to City Council on August 27, 2019.

STAFF COMMENTS:

1. Monthly Planning and Zoning Report – None
2. The Planning & Zoning Commission Board welcomed Mac Pilgrim as the new Commissioner.

PUBLIC COMMENTS:

None

ADJOURNMENT:

RESULT: **APPROVED UNANIMOUS; 4/0**

MOVER: Commissioner Willie Marchman

SECONDER: Vice-Chairman John Hannabach

AYES: Chairman Kurt Kraft, Vice-Chairman John Hannabach, Commissioner Willie Marchman and Commissioner Mac Pilgrim

MEETING ADJOURNED AT 7:15 P.M.

Commission Chairperson

Date

Office of Community Development

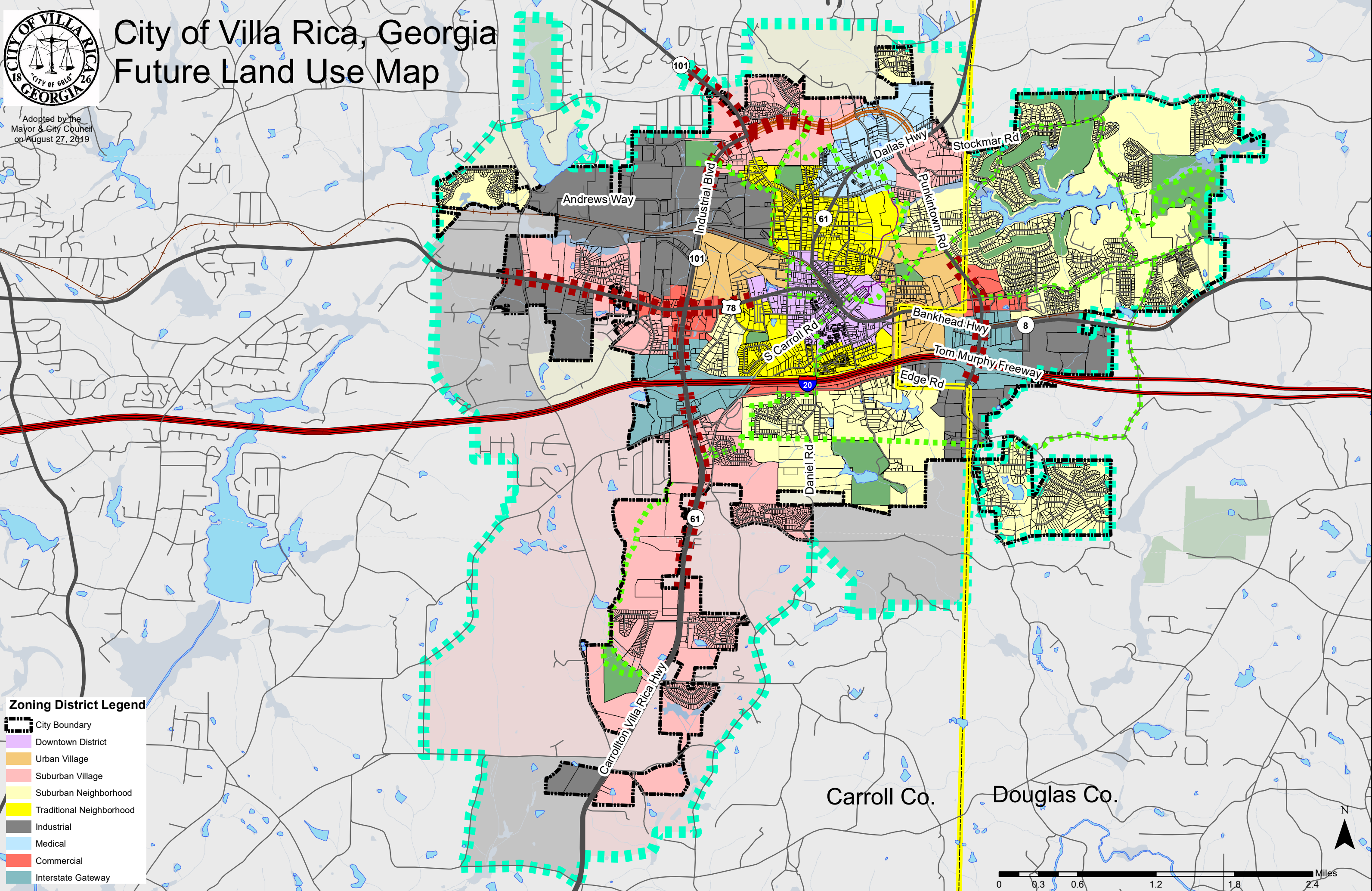
Date

Note: Complete meeting details may be viewed on the City of Villa Rica website at www.villarica.org.



Adopted by the
Mayor & City Council
on August 27, 2019

City of Villa Rica, Georgia Future Land Use Map

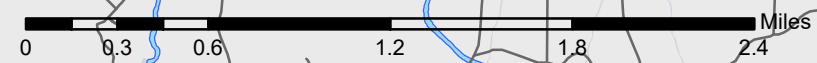


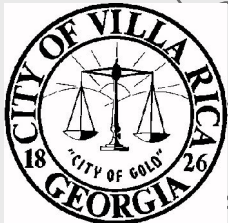
Zoning District Legend

- City Boundary
- Downtown District
- Urban Village
- Suburban Village
- Suburban Neighborhood
- Traditional Neighborhood
- Industrial
- Medical
- Commercial
- Interstate Gateway

Carroll Co.

Douglas Co.



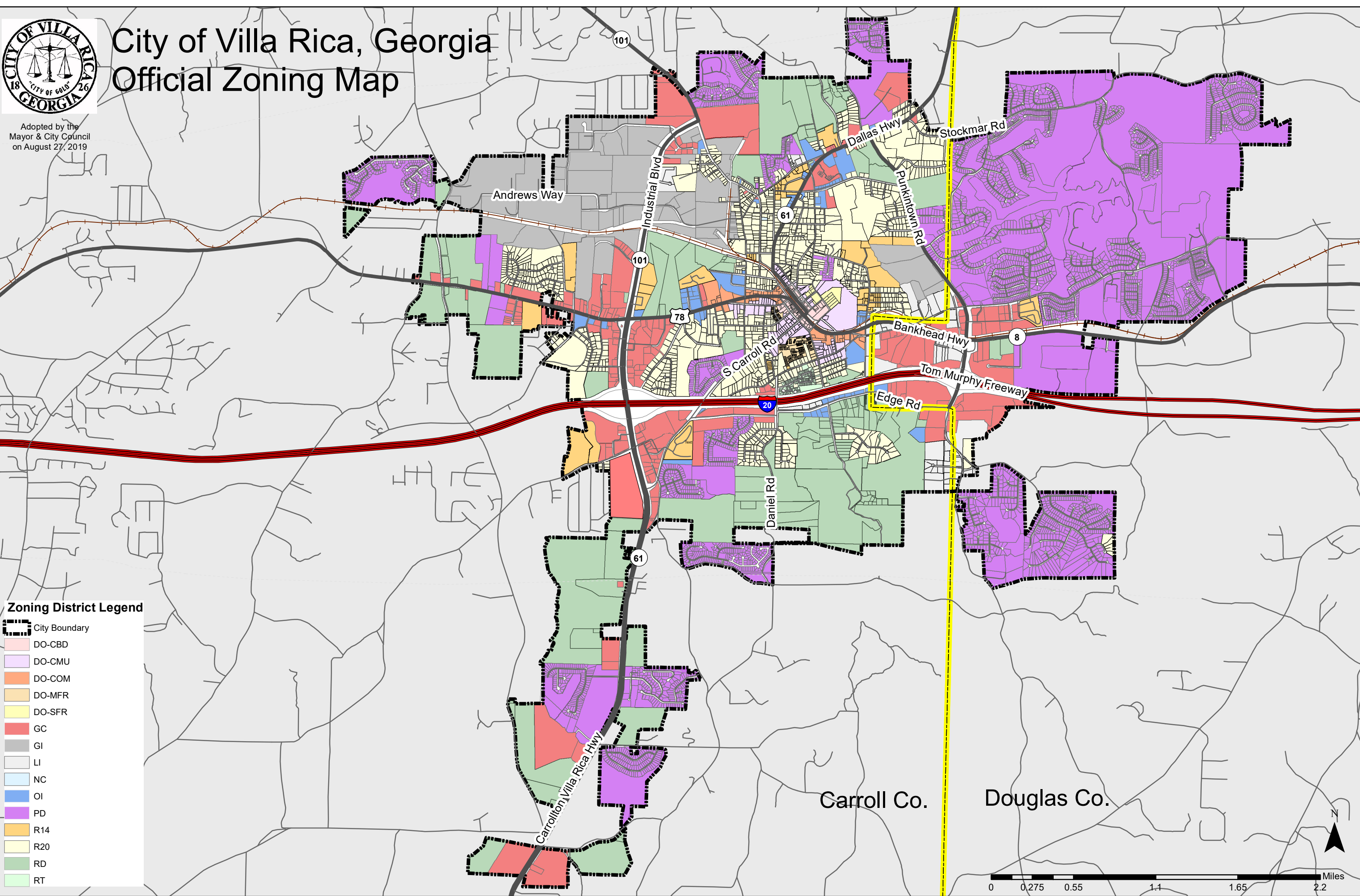


Adopted by the
Mayor & City Council
on August 27, 2019

City of Villa Rica, Georgia Official Zoning Map

Zoning District Legend

- City Boundary
- DO-CBD
- DO-CMU
- DO-COM
- DO-MFR
- DO-SFR
- GC
- GI
- LI
- NC
- OI
- PD
- R14
- R20
- RD
- RT





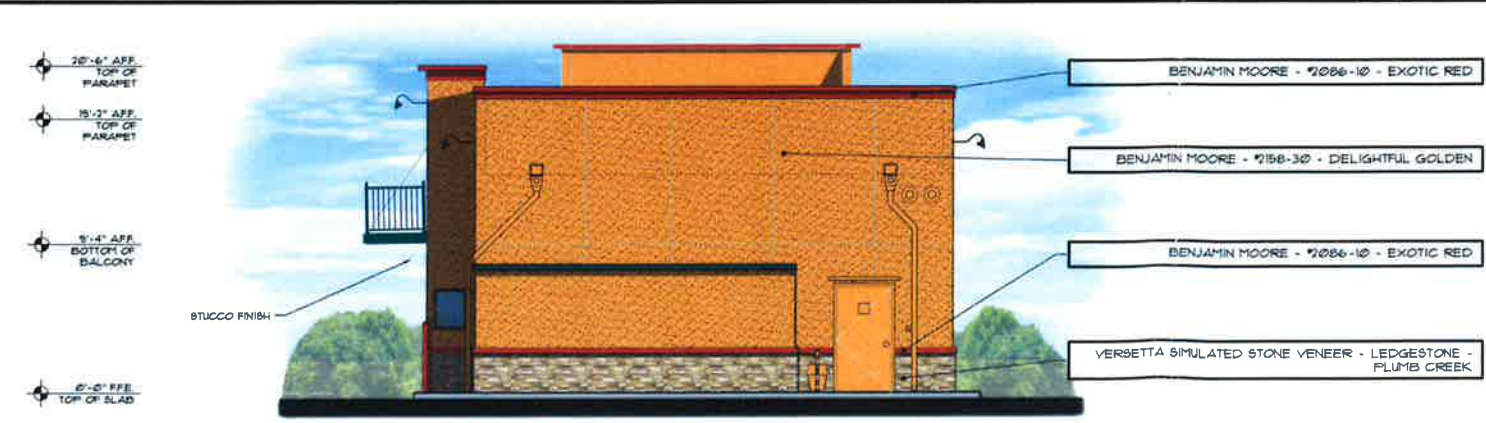
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SCALE: 3/16" = 1'-0"



2 EAST ELEVATION
SCALE: 3/16" = 1'-0"



3 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



4 WEST ELEVATION
SCALE: 3/16" = 1'-0"

REVISIONS	BY

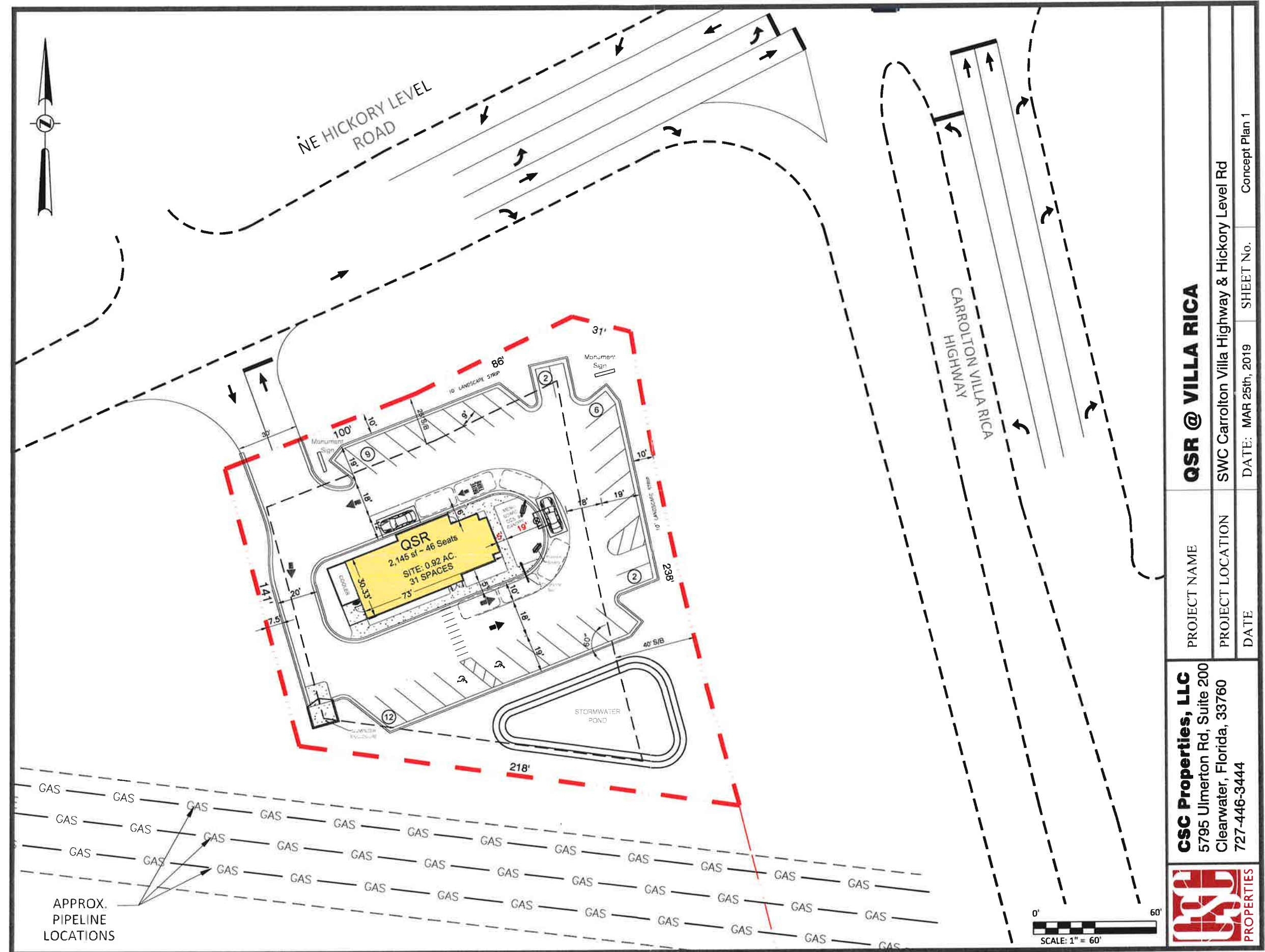
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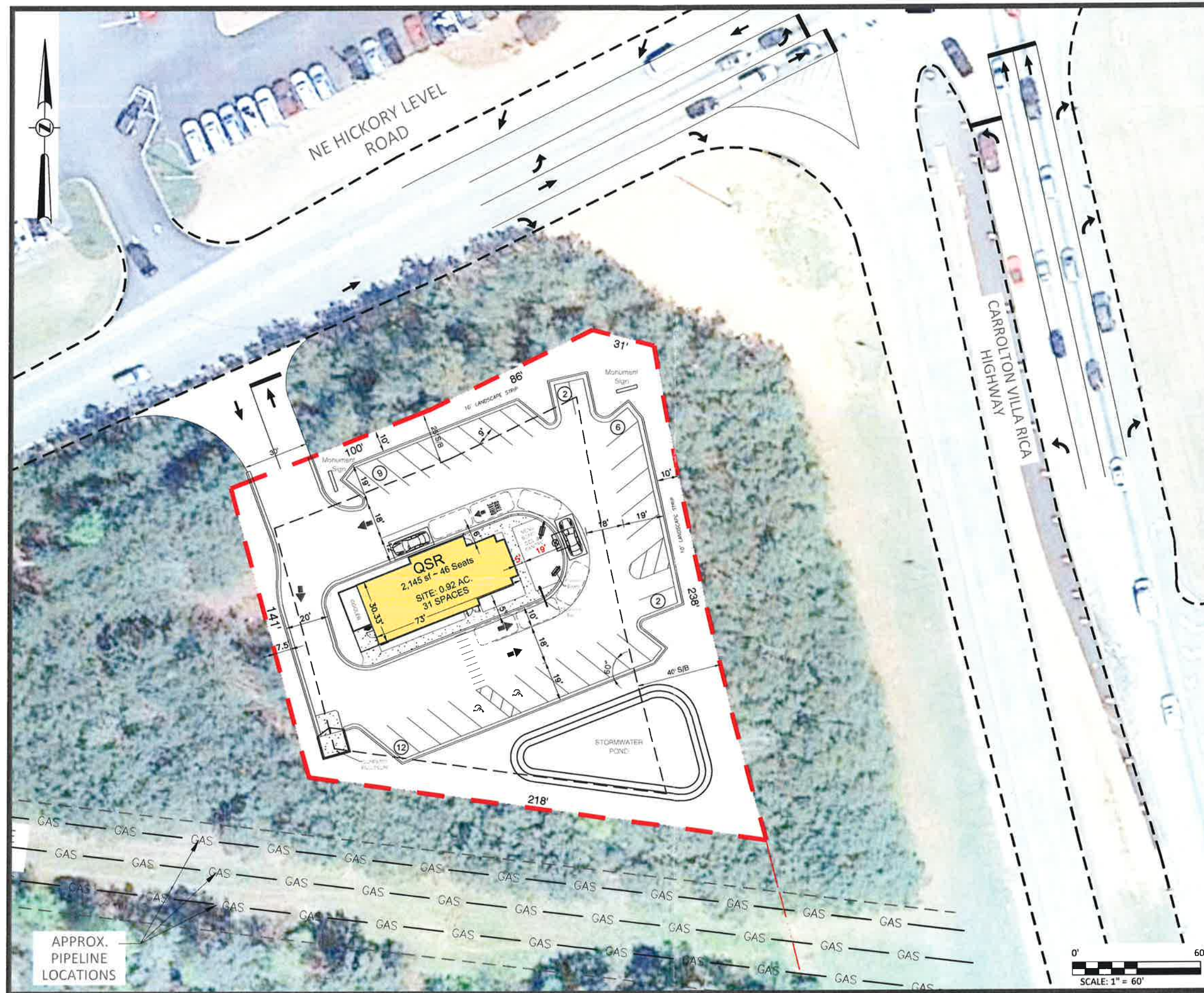
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Joseph L. Oliveri, AIA
State of Georgia
License #1418182

New Free Standing Building for
POPEYE'S
SWC Carration Villa Highway
& Hickory Level Rd.

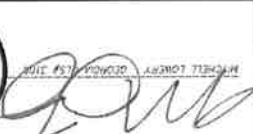
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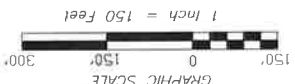




CSC Properties, LLC 5795 Ulmerton Rd, Suite 200 Clearwater, Florida, 33760 727-446-3444		PROJECT NAME	QSR @ VILLA RICA	
		PROJECT LOCATION	SWC Carrolton Villa Highway & Hickory Level Rd	
		DATE	DATE: MAR 25th, 2019	SHEET No. Concept Plan 1









VICINITY MAP

SURVEY NOTES





CITY OF VILLA RICA

City Council Packet

SUBJECT: RA-06-18 – 55 and 63 Goldworth Road (Avenmore Presentation for informational purposes only)

CITY COUNCIL AGENDA DATE: August 13, 2019

DATE: August 8, 2019

PREPARED BY: Ronald Johnson, Planning and Zoning Specialist

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: Winchester Real Estate Investment, LLC of Villa Rica, GA is requesting a rezoning and Planned Unit Development approval of three total parcels (V07 0140151, V07 0140003, V07 0140004) for a total of 220+/- acres located at 55 and 63 Goldworth Road and Hwy 61. The purpose of the rezoning is to facilitate the permitting and construction of 222 single family homes, 303 multi-family homes, 44,400 sq. ft. of retail, 12,450 sq. ft. of dedicated restaurant space, 88,700 sq. ft. of office space, a “Life Plan Community”, several civic buildings and a recreational component including a section of the Gold Nugget Trail. The properties are proposed to be rezoned Planned Unit Development. This presentation is for informational purposes only.

BACKGROUND: This proposed development came before the Planning Commission officially on December 4th, 2019, where the concept plan was approved. The City Council subsequently approved the application on December 11th, 2018. The applicant is proposing to increase the number of units from 161 single family homes to 222, decreases of multi-family homes 328/348 to 303 units, changes to the retail spaces, and changes to the parking throughout the development. The applicant is returning to the City Council for presentational purposes only at this time to give further information on the proposed changes to the concept plan prior to returning to the Planning Commission and Council at a later date to request an amended approval of the concept plan prior to the final plot plan application. There have also been changes beyond the conditions outlined and approved by the Planning Commission and City Council, including the maximum number of single and multi-family units and adverse implementation of the age restriction of the community.

STAFF RECOMMENDATION: N/A

IMPACT: N/A

MOTIONS: N/A



Residential Data

Single Family:

60	45' Lots (suitable for 800 - 1200 sf alley-loaded homes)
119	50' - 60' Lots (suitable for 1,200 - 2,400 sf alley-loaded homes)
27	60'-70' Lots (suitable for 1,200 - 2,400 sf port-cochere, front entry homes)
16	Custom Lots (suitable for >2,800 sf homes)
222	Total Single Family

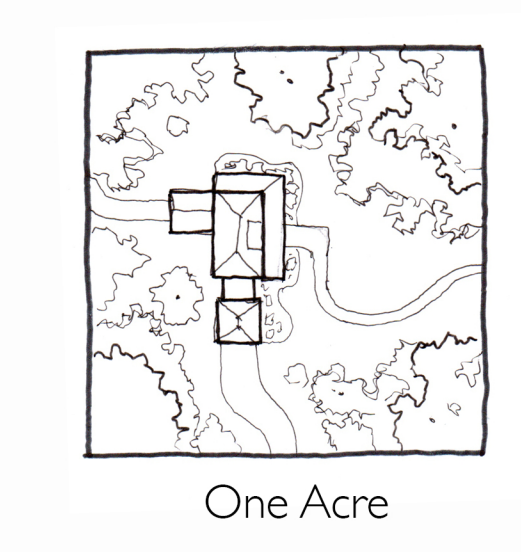
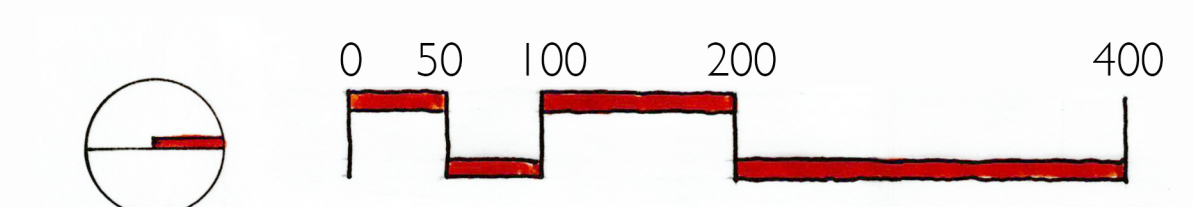
Multi-Family:

62	Townhomes
8	Live/Work Townhomes
233	Total Condominium/Apartment Units - 7 Buildings
303	Total Multi-Family
525	Total Residential Units of all Types

Preliminary Conceptual 07-18-19

Avemore
Villa Rica, Georgia

Scale: 1" = 100'





Planning & Zoning

Community Development Department

RA-06-18

Council Ward: 2

Planning Board Member: Kurt Kraft

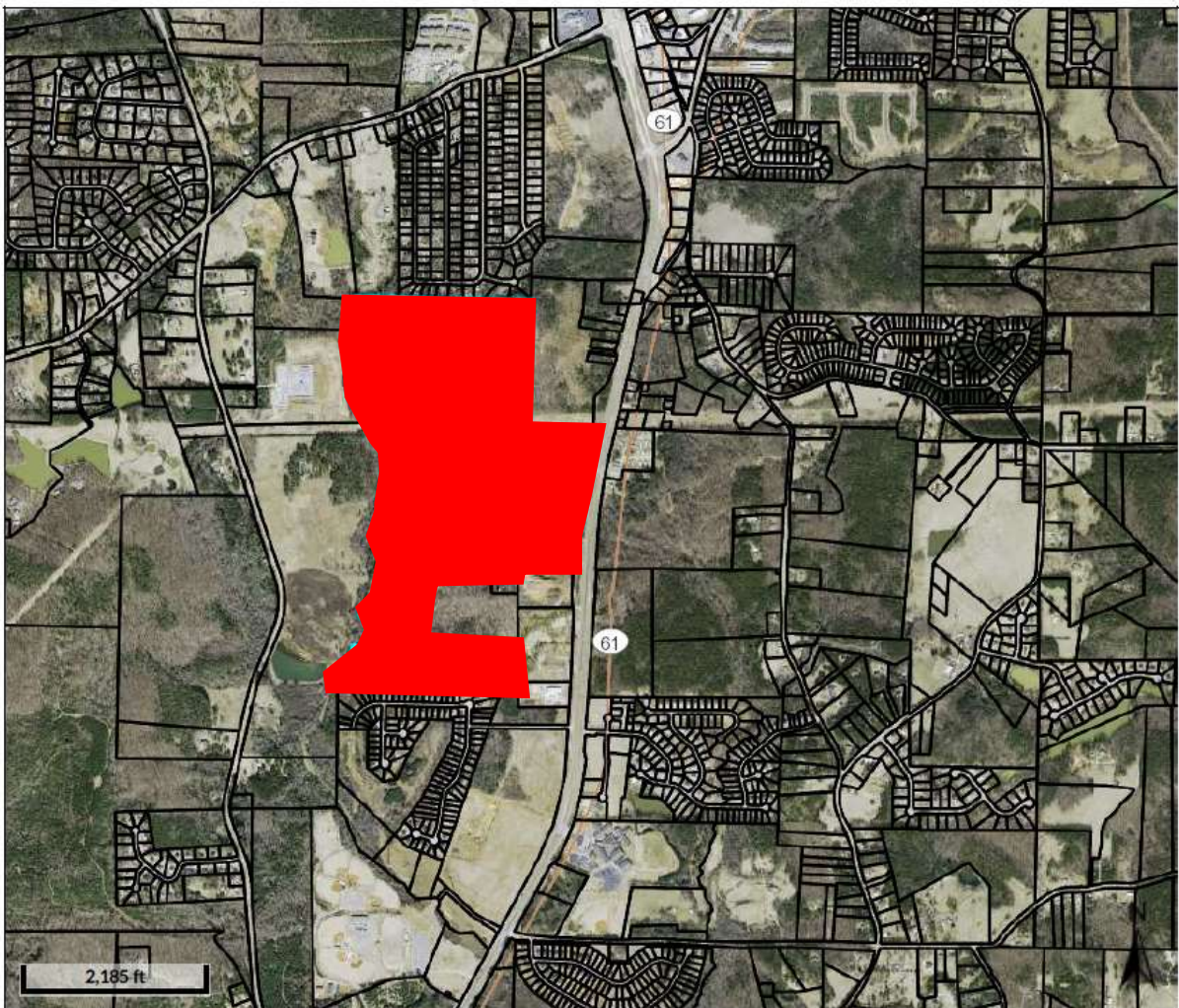
City Council Member: Vacant

Public Hearing Dates

Planning Commission: December 4, 2018

City Council: December 11, 2018

Request: Planned Development (PD) concept plan approval for a mixed use, life plan community.



Applicant: Winchester Real Estate
Investment, LLC
214 Maple Street
Villa Rica, GA 30180
(478)737-8279

Acres: 204.1+/-
Current Land Use: Single Family
Residential/Undeveloped
Future Development Character Area:
Suburban Village/Commercial Corridor

Parcel Number(s): V07 0140004 and V07 0140003

Location: 55 and 63 Goldworth Road, Villa Rica, Georgia 30180, in Land Lot 99 of the 6th District of Carroll County.

Project Description:

The applicant is requesting Planned Development Concept Plan approval for property located at 55 and 63 Goldworth Road currently zoned Rural Development (RD). The proposed use is a mixed use development with a life plan community. Based on the application, this will be a private community, with limited access to the general public.

Proposed Private Improvements

Single Family Residences:	161+/- homes in pocket neighborhoods over 91.01-/+ acres
Two Family Residences:	None
Multi Family Residences:	280+/- units [ten (10) homes with 28 units each] 401+/- units [four (4) complexes]
Commercial:	24.25+/- acres
Life Plan Community:	35.05+/- acres

Surrounding Properties:

Current Zoning		Land Use
North	Manufactured Home Subdivision (MHS) – Unincorporated Carroll County	Mobile Home Subdivision
East	Rural Development (RD) – Villa Rica; Commercial – Unincorporated Carroll County	Residential and Undeveloped
South	Planned Development (PD)	Single Family Residential
West	Agricultural – Unincorporated Carroll County	Undeveloped

Rezoning Review Standards:

The Code of the City of Villa Rica, Unified Development Code, requires all Planned Development Concept Plan applications to be evaluated using the review criteria established for zoning map amendments (Section 2.03.B), the Concept Plan criteria (Section 2.03.C), and major subdivision (Section 2.03.E).

Zoning Map Amendments:

A. *Whether the existing zoning was in error at the time of adoption.*

It does not appear that the existing Rural Development (RD) zoning designation is in error.

B. *Whether the proposed change is consistent with, and in furtherance of, the implementation of the goals and objectives of the Comprehensive Plan, other adopted plans, and the policies, intents and requirements of this Code and other city regulations and guidelines.*

Future Land Use Map

The subject property is currently located within City limits. The Future Land Use Map designations in the surrounding area are Commercial, Public/Institutional, and Low Density Residential.

Relation to the Comprehensive Plan Policies:

Development Patterns

DP Goal 4: Support mixed use development

Social and Economic Development

SED Goal 2: Protect and enhance existing neighborhoods while supporting a diverse array of housing options to accommodate future growth

SED Goal 3: Create employment opportunities within the city and expand business diversity

Economic Development

ED-1e: Encourage regional commercial development to occur within close proximity to freeway interchanges to promote regional commerce

C. *Whether there is a community need for and benefit from the proposed rezoning; or*

Rezoning the property to Planned Development (PD) is a benefit to the community as the proposed use is to provide single family and multi-family residential, commercial, and a life plan community. The applicant describes the life plan community as being the central core of the development, which includes independent living, assisted living, memory care, and skilled nursing.

Population projections from the Comprehensive Plan indicate that Villa Rica has a growing population of individuals age 55 and above. Additionally, the Plan identifies that seniors will need more attached and communal housing types and increased medical services. Developments such as this will serve the demands of this growing population.

D. *Whether the proposed change is consistent with the character of the area in which the proposed rezoning is proposed; or*

The proposed rezoning is not consistent with the character of the area. The surrounding area is mostly undeveloped and rural. There are some single-family residential communities in the immediate vicinity, but development along this portion of Highway 61 is very sparse. However, the 2018-2038 Comprehensive Plan Update designates the future development of this area as "Suburban Village" and "Commercial Corridor", as the properties have frontage along Highway 61. Primary future land uses in "Suburban Village" include single-family and multi-family dwellings, senior/assisted living facilities, conservation subdivisions, clustered neighborhood commercial/small-scale mixed use, and areas of civic benefit. The "Commercial Corridor" future development character area encourages a mix of uses, so as to avoid strip, commercial development. The proposed development demonstrates adherence to some of the core objectives of these character areas.

E. *Whether the proposed zoning is compatible with the zoning and uses of property nearby; or*

The proposed zoning is not compatible with nearby zoning and uses nearby. There is a Planned Development south of the subject parcels, however, it is not a mixed use

development. There are no mixed use developments in the immediate vicinity. Most of the parcels have a singular use or are undeveloped.

F. Whether the existing zoning is suitable for the development of the uses authorized under the existing zoning classification, will be conducive to proper community planning, and is a logical extension of an existing urban area or growth center; and

The existing zoning would be suitable for Rural Development for residential and agricultural uses. The site was previously used as a single family residence, and dairy farm. The dairy farm, Williams-Mitchell Farm, is currently on the National Register of Historic Places. However, because the parcel is in close proximity to Highway 61, it is a logical extension of an existing urban area. Additionally, the Future Development Map supports a mix of land uses along this portion of Highway 61.

G. Whether the public and community facilities, which may include, but are not limited to, sanitary and storm sewers, water, electrical service, police and fire protection, schools, parks and recreation facilities, roads, libraries, and solid waste collection and disposal, are available and adequate to serve uses authorized under the proposed zoning; and

The subject property is currently provided with community facilities such as water, roads, and solid waste, however, the existing sewer line and regional network are inadequate to support the proposed development. Bay Springs Creek runs through the parcels, from north to south. An existing sewer line is located in the creek, but significant modifications for the downstream collection system is necessary. Significant upgrades will have to be made by the applicant and City of Villa Rica, which include the collection lines, lift stations, and force mains.

H. Whether the authorized uses will not adversely affect the capacity or safety of the street network in the vicinity of the property; and

The proposed rezoning will have a significant impact on the capacity of the road. The site plan indicates ingress and egress will occur from Goldworth Road onto Highway 61. The applicant has submitted a traffic impact study, indicating potential traffic flows and recommends a number of upgrades to Highway 61 to accommodate traffic.

I. Are there potential environmental impacts (e.g., excessive storm water runoff, water pollution, air pollution, noise pollution, excessive lighting, or other environmental harms) of authorized uses will be mitigated.

Based on the City's and County's available maps, there are wetlands that run through the southern portion of the property. Should the zoning be approved, Staff will review all site plans for compliance with local and state guidelines for water bodies.

Concept Plan Criteria:

A. Consistency – The development design is consistent with the purposes of the Planned Development (Section 2.03.C.1) and Comprehensive Plan goals and policies

The Planned Development provides design flexibility not available through strict interpretation of the standards established in the Unified Development Code. The project demonstrates some consistency with the Comprehensive Plan goals and policies, in particular, with future development along the Highway 61 corridor and mixed use objectives. However, at the

Concept Plan phase of the application, it is unclear if the development meets the criteria outlined below.

B. Design – The development is designed and phased to make efficient use of existing infrastructure, have lower traffic volumes or contribute to better mobility than would conventional development, provide more usable public or private open space or other recreational amenities than conventional development, and provide needed housing choices

More efficient infrastructure – It is unclear if the development provides more efficient infrastructure. The concept plan does not provide the level of detail necessary to draw conclusions regarding efficiency. The compact nature of the proposed pocket community should facilitate a decreased burden on traffic throughout the project area. However, significant upgrades to the existing sewer line and Highway 61 will have to be installed to accommodate the increased demand on the existing infrastructure.

Reduced traffic demands – Based on the traffic impact study submitted by the applicant, the proposed development will generate 10,890 daily trips. Therefore, it is most likely that the project will increase traffic demands.

More usable public or private open space – The topography in the project area is very severe, with varying elevations that can be steep in certain areas. The applicant describes a 16-acre conservation easement that will be accessible via walking trails, but this area is not a part of the overall development, and should not be considered with the application. Additionally, some open space and easements will have to be provided around the Bay Springs Creek area. The Gold Nugget Trail has a proposed route along the Creek, as well.

Recreational amenities – The applicant describes a number of recreational amenities that will be available to residents of the Avenmore community. These include an observation tower, picnic area, swimming pool, water feature, extensive walking trails, volley ball court, and public amphitheater. Additionally, the Williams-Mitchell Farm is located on site, which is on the National Historic Register of Places. The applicant proposes to restore the farm, as well as install Camp Lucretia historic monuments. Camp Lucretia began in 1936 as a part of the Civilian Conservation Corps (CCC) during the Great Depression.

Housing Choices – The applicant is proposing 161+/- single family homes and 348+/- multi-family units. The single family residences will range in size from 750 to 2,400 square feet. It appears the residential portion of the life plan community is intended strictly for seniors, and not intended for all populations. Additionally, the housing design is very atypical, in regards to size, of residential developments currently found in the city and surrounding areas. The Unified Development Code sets minimum floor areas for Type I single family residential at 1,500 square feet, and Type II at 1,230 square feet. The Type II single family designation is prescribed more for townhouse-type developments. Typically, an applicant must submit a preliminary plat for the single family residential portion of the development to delineate the parcels. The applicant was unable to provide a preliminary plat at this phase of application.

Table 5-3 Single-Family Dwelling Appearance Standards

	TYPE I	TYPE II
Minimum roof pitch	6/12	6/12
Minimum number of roof planes per unit	6	4
Minimum floor area	1,500 sq. ft.	1,230 sq. ft.
Minimum net percentage of rock or brick, (see Sec 5.21.B.2)	25%	25%
Allowable unit types are established in Article 3 zoning district design standards		

C. Benefits – The development will provide long-term benefits to the neighborhood in which it is located and the community as a whole.

The development proposes to preserve two historically significant areas (the Williams-Mitchell Farm and Camp Lucretia), provide walking trails, as well as, connect with the recently adopted Gold Nugget Trail, and provide a mix of uses. As proposed, it appears that the Concept Plan will provide a number of benefits to the community.

D. Standards – The development complies with the zoning district standards in Article 3 of this Code

It is unclear if the development complies with all the zoning district standards in Article 3. Neither the commercial, residential, or institutional areas have been appropriately delineated to make this determination. However, the Planned Development process allows some flexibility as it applies to the standards set forth by Article 3 of the Unified Development Code.

Major Subdivision:

A. Consistency of the proposed project with the goals and objectives of the Comprehensive Plan;

The 2018-2038 Comprehensive Plan Update designates the future development of this area as “Suburban Village” and “Commercial Corridor”, as the properties have frontage along Highway 61. Primary future land uses in “Suburban Village” include single-family and multi-family dwellings, senior/assisted living facilities, conservation subdivisions, clustered neighborhood commercial/small-scale mixed use, and areas of civic benefit. The “Commercial Corridor” future development character area encourages a mix of uses, so as to avoid strip, commercial development.

B. The consistency of the proposed subdivision with applicable zoning of the property

The applicable Planned Development zoning designation allows some flexibility in regards to the layout and densities of the subdivision. The submitted application proposes four general residential districts envisioned throughout the property, each one located at the four primary property corners. The Pocket Community Design concept describes a cottage community that includes eight (8) cottages on a 2/3-acre plot. The home sizes in the cottage community would range from 750 to 2,400 square feet. The average lot size at eight (8) cottages per 2/3-acre plot would be approximately 3,630 square feet. Below is a table describing the low to high housing densities prescribed in the 2018-2038 Comprehensive Plan Update, in relation to the Avenmore project.

	DENSITY	AVERAGE LOT SIZE
LOW	1 to 2 units per acre	21,780 to 43,560 sq. ft.
MODERATE	4 to 8 units per acre	10,890 to 5,445 sq. ft
HIGH	8+ units per acre	Less than 5,445 sq. ft
AVEMORE	Approx. 12 units per acre	Less than 3,630 sq. ft.

C. The consistency of proposed public improvements with the existing and planned development within and surrounding the proposed subdivision

The applicant's proposed public improvements include upgrades to the transportation network along Highway 61, as well as utility/infrastructure services. Improvements to Highway 61 will have to be consistent with standards established by the Georgia Department of Transportation. The traffic study submitted with the application details some of these proposed improvements. Significant upgrades will be required for the existing sewer line that runs along Bay Springs Creek, due to the intensity of the project. Additionally, the applicant proposes extensive walking trails throughout the community. The City of Villa Rica recently adopted Gold Nugget Trail, a portion of which will be located along Bay Springs Creek. The applicant proposes to connect the walking trails to the adopted Trail plan.

D. The suitability of the proposed project for the site

The project appears to be suitable for the site, as it shows consistency with Comprehensive Plan. The project area has a future development designation of "Suburban Village". The Suburban Village is characterized by a mix of uses, including commercial and residential.

E. The availability and adequacy of required public and community facilities, utilities and services to serve the proposed project. These may include, but are not limited to, sanitary and storm sewers, water, electrical services, police and fire protection, schools, parks and recreation facilities, roads, and others, as applicable;

The subject property is currently provided with community facilities such as water, roads, and solid waste, however, sewer facilities are severely inadequate to handle the proposed development. Bay Springs Creek runs through the parcels, from north to south. An existing sewer line is located in the creek. This sewer line will require significant upgrades by the applicant to support the proposed uses.

F. The extent to which the proposed project would adversely affect the capacity or safety of that portion of the street network influenced by the use

The traffic study submitted by the applicant anticipates 10,890 daily trips generated by the completed development. Based on the existing and proposed conditions, the traffic study makes a number of recommendations, including the following:

- The Avenmore community should have two points of access at Highway 61.
- Driveways should be spaced at least 400 feet apart.
- The intersection of Highway 61 and driveway #1 should operate as a signalized intersection.

Based on the anticipated daily trips and the recommendations of the traffic study, this project will adversely affect the capacity and safety of the existing street network.

G. The environmental impacts that the proposed project will generate

Should the zoning be approved, Staff will review all site plans for compliance with local and state guidelines for any environmentally-sensitive areas.

Staff Comments:

The applicant is requesting a rezoning of the subject property from Rural Development (RD) to Planned Development (PD). The submitted Planned Development Concept Plan proposes a mixed use, life plan community over a 204 acre site. The life plan community component will consist of 100 independent living participants, 60 assisted living participants, and 30 memory care participants. A proposed second phase of the community would provide space for 100 skilled nursing care patients. There are considerable amenities described in the application, including walking trails, amphitheater, community transportation system, pool, gym, and petting zoo. The commercial district of the development proposes a grocery store, restaurants, office space, and medical offices. The residential district proposes 161+/- single family homes, and 328+/- multi-family units throughout the community. Housing sizes within the single family district will range from 750 square feet to 2,400 square feet.

Staff was unable to make determination on a number of factors based on the application provided. In particular, the following was not included in the application:

1. Location of existing and proposed sanitary sewers (not provided due to presumed cost of utility plan)
2. Proposed size and location of all buildings and all off-street parking areas (not provided because architectural plans not completed)
3. Development of more than ten acres shall indicate whether portions of the total land area will be phased (phasing cannot be determined until after the utility plan is completed and until after the entire property design is completed)
4. If subdivision of land is required, the applicant shall submit a preliminary plat prepared in accordance with all application requirements (not provided)

As a result, Staff is unable to comment on these elements of the Concept Plan, as this information was not made available.

This project underwent the process for Developments of Regional Impact (DRI) with the Georgia Department of Community Affairs via Three Rivers Regional Commission. The application was submitted on September 26, 2018 and the DRI was completed on October 26, 2018. Comments from the DRI have been included in the packet of information provided. In addition, the applicant has submitted other documents to supplement the concept plan, including a market analysis and feasibility study, traffic impact study, and wetlands summary.

The Planned Development (PD) process has two components; one for the Concept Plan and the other for the Final Development Plan. Rezoning will not be completed until both the Concept Plan and the Final Development Plan are approved by Planning Commission and City Council.

The application is currently in the Concept Plan phase. The Concept Plan will have to be approved by the Planning Commission and then the City Council. A PD Concept Plan constitutes a major step in the review process and provides general information about the land uses, development patterns, intensities, and street patterns in the proposed Planned Development.

The second step is the Final Development Plan phase. The Final Plan is approved in conjunction with the rezoning, proposed development phasing and final subdivision plat. The Final

Development Plan, together with the development schedule and Final Plat, shall act as the blueprint for development of a Planned Development project over the length of time the project is developed. The Final Development Plan and Final Plat refine the information submitted during the Concept Plan stage. This is a separate application process that has to be approved by the City Council. The Final Development Plan will be reviewed for substantial conformance with the Concept Plan, as well as the review criteria for rezoning and major subdivision. In order to be within substantial conformance of the Concept Plan, the final plan application cannot:

1. Increase the proposed gross residential density or intensity of use;
2. Increase the proposed ratio of residential units to non-residential square footage;
3. Involve a reduction of the area set aside for common space or the substantial relocation of such area;
4. Substantially increase the floor area proposed for non-residential use; or
5. Substantially increase the total ground areas covered by buildings or involve a substantial change in the height of buildings.

Recommendation:

Staff recommendation: **APPROVAL WITH CONDITIONS**

To be submitted and approved within six (6) months of Planned Development Concept Plan approval:

1. Preliminary plat application in accordance with the requirements and depicting the following should be reviewed and approved by Planning and Zoning Commission and City Council.
 - a. Acreage of the property, proposed building footprint, and density in each proposed land use to be included in the Planned Development (commercial, residential, and institutional).
 - b. Public improvements plan showing connections to the proposed location of the Gold Nugget Trail along Bay Springs Creek.
 - c. Interparcel connection to Charleston Place.
2. Single family and multifamily residential to be age restricted to 55 and up.
3. Maximum number of single family units: 200 units
4. Maximum number of multi family units: 300 units
5. Permitted Commercial uses to be limited to:
 - a. Retail offering common merchandise 100,000 square feet or less
 - b. Office, Business, and Professional
 - c. Bank or Financial Institution, Full Service
 - d. Veterinary Clinic/Animal Care Facility
 - e. Restaurant, Non Drive-In
 - f. Barber Shop/Beauty Shop
 - g. Laundry, Pick up and Dry Clean Services
 - h. Florist Shop
 - i. Grocery/General Merchandise Store
 - j. Bakery/Pastry Shop
 - k. Museum
 - l. Art Gallery
 - m. Library
 - n. Cinema/Movie Theater

- o. Athletic/Health Club Facilities
- p. Clinic, Public or Private
- q. Hospital, Health, and Medical Institution
- r. Horticultural Gardening
- s. Nursery and Greenhouse
- 6. Commercial uses requiring a conditional use permit to be limited to:
 - a. Church
 - b. Assembly Hall, Civic Center
- 7. Zoning book, phasing plan, economic analysis, Homeowners Association covenants, and utility plan to be submitted for approval with the final Development Plan
- 8. Submit application to nominate Williams-Mitchell Farm and Camp Lucretia as local historic properties/landmarks

Public Notifications:

As required by *Article 2, Section 2.01* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on November 19, 2018; a sign has been posted on the subject properties; and all abutting property owners have received notification via certified mail.

Public Response:

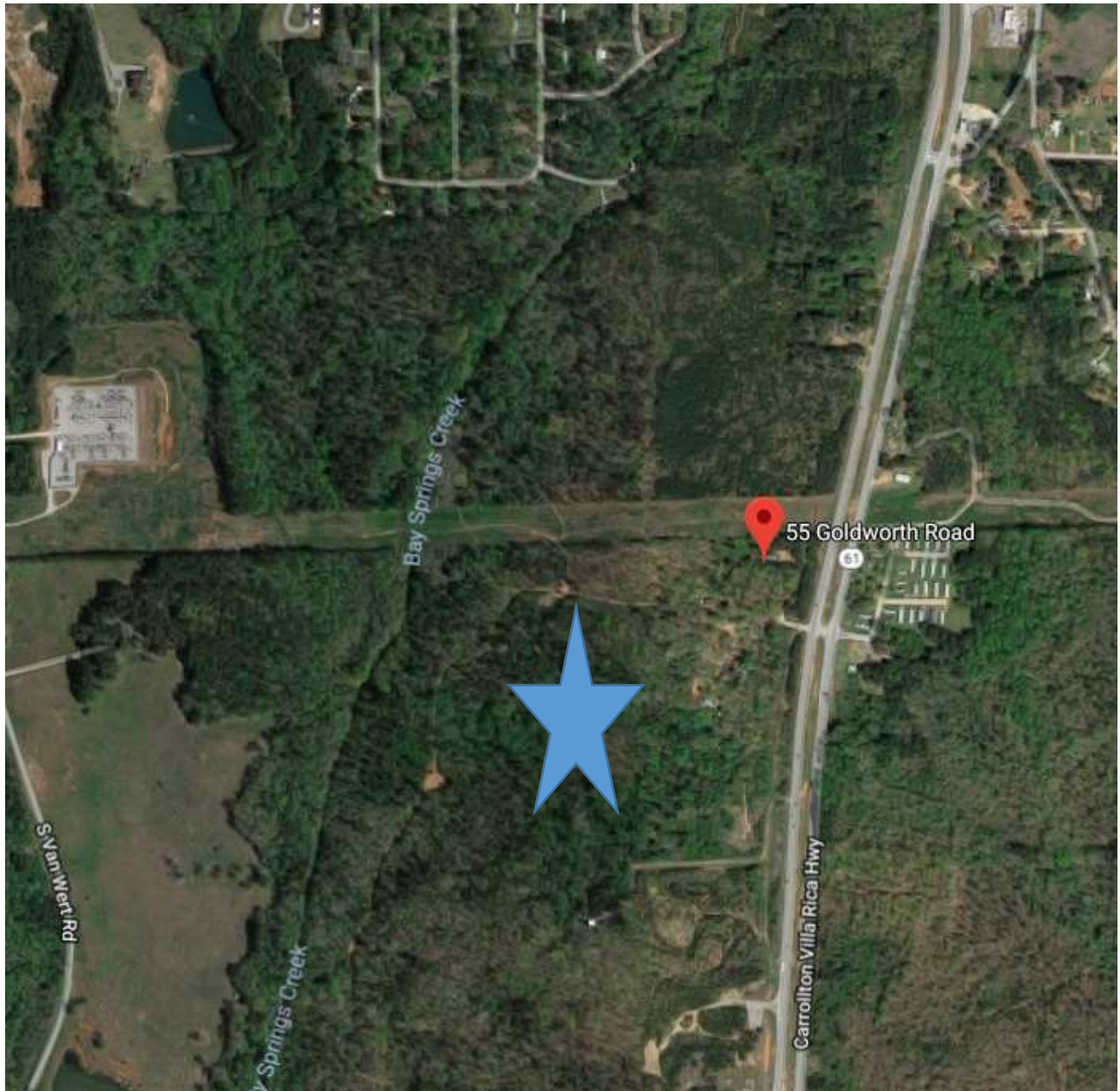
In response to the public notifications, several residents within the surrounding neighborhoods have contacted the City at the time of this staff report. The residents did not have comments regarding the development.

Office of Community Development

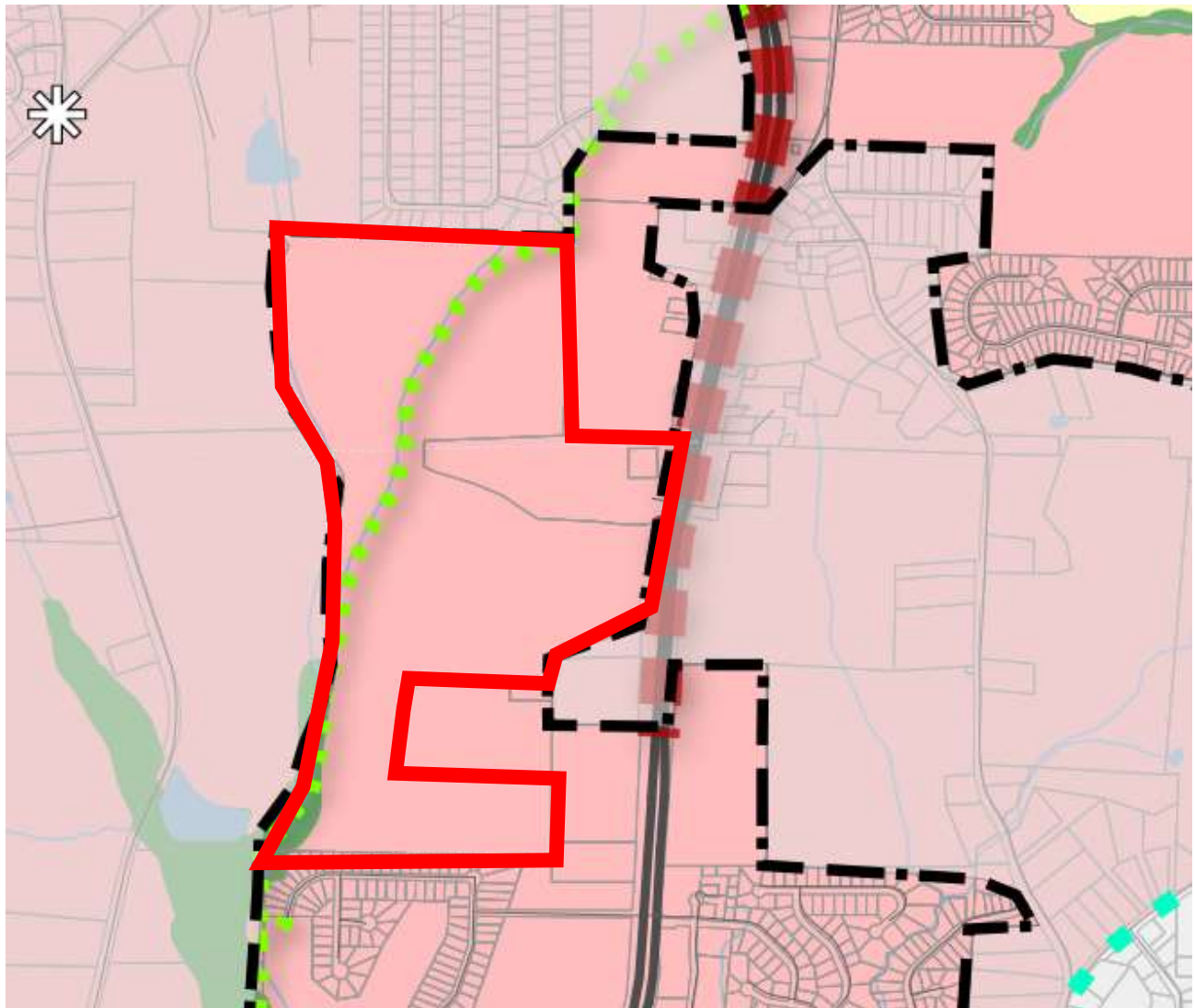
Attachments:

- 1. Application
- 2. Campaign Disclosure Statement
- 3. Letter of Intent
- 4. Property Owner Authorization
- 5. Warranty Deed
- 6. Property Plat
- 7. Location Map
- 8. Site Photos
- 9. Future Land Use Amendment Report

Aerial View



Future Development Map



CHARACTER AREAS

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

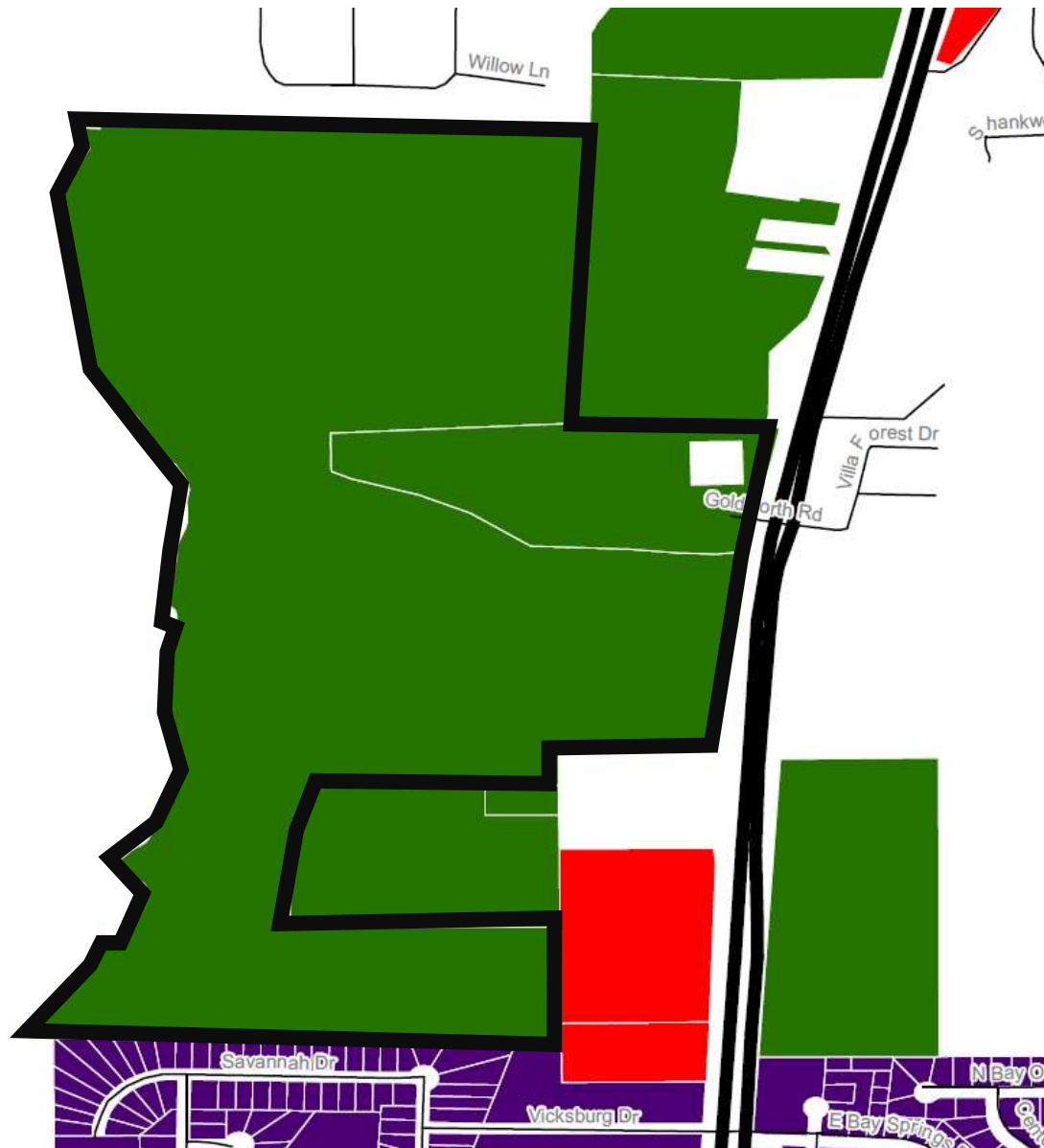
ACTIVITY CENTERS

-  DOWNTOWN
 INDUSTRIAL
 COMMERCIAL
 MEDICAL

 PROPOSED GREENWAY TRAIL
 PROPOSED ROAD PROJECTS
 URBAN GROWTH AREA
 CITY BOUNDARY



Zoning Map



Railroad	DO-SFR: Single-Family Residential
Primary Road	GC: General Commercial
Secondary Road	GI: General Industrial
Local Neighborhood Road	LI: Limited Industrial
Ramp	NC: Neighborhood Commercial
(Unlabeled) Unlabeled Roadway District	OI: Office and Institutional
DO-CBD: Central Business District	PD: Planned Development
DO-CMU: Commercial Mixed-Use	R14: Multi-Family Residential
DO-COM: Commercial	R20: Single-Family Residential
DO-MFR: Multi-Family Residential	RD: Rural Development
	RT: Residential Townhome

This map is intended for only the Mayor and City Council of Villa Rica use. The City of Villa Rica does not assume any responsibility for the use of this product by any other party. The official version of this map resides within the Planning & Zoning Department of Villa Rica, and is the only official copy. Only a copy signed by the Planning & Zoning Manager reflects official data as of the date signed. This information is only a representation of the current information, and all information should be verified by the Planning & Zoning Manager. The City of Villa Rica does not assume responsibility for the use of the data on this map.



APPLICATION FOR

PLANNED DISTRICT CONCEPT PLAN

The procedure for approval of a Planned Development Concept Plan, the first step in a Planned Development process, is set forth in Section 2.03.C.3 of the Unified Development Code (UDC). Generally, the process involves review by the Community Development Director and the Planning Commission with a final review and decision by the City Council.

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

Date of Application: JUNE 14, 2018
JULY 3,

APPLICANT

INVESTMENT

Applicant Name: WINCHESTER REAL ESTATE DEVELOPMENT COMPANY, LLC
Address: 214 MAPLE STREET City: VILLA RICA State: GA Zip: 30180
Phone: (478) 737-8279 Fax: () -
Project Representatives Names: RONALD B. CONNERS, Ph.D
Address: 240 MARYANNE DRIVE City: MACON State: GA Zip: 31220
Phone: (478) 737-8279 Fax: () -
Engineer/Surveyor/Designer: _____
Address: _____ City: _____ State: _____ Zip: _____
Phone: () - _____ Fax: () - _____
Owner Name (If different from applicant): _____
Address: _____ City: _____ State: _____ Zip: _____
Phone: () - _____ Fax: () - _____
(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

PROPOSED PLANNED DEVELOPMENT

Proposed Name of PD: THE AVENUE VILLAGE
General Street Location and Boundaries of the PD: 63 GILWORTH ROAD
125, 1001
Legal Description of Entire PD (Attach additional sheet if needed.): Lot 99 Block _____
Addition/Subdivision or Metes and Bounds: SEE ATTACHED MASTER PLAN
Assessor's Parcel Number: V070140803
Total Acreage: 220.38 ACRES
Approximate Number of Lots: UNDETERMINED
Land Use Density - Number of Units per Acre and Breakdown of Units: SEE ATTACHED
Approximate Amount of Open Space and Recreation: 11.84 acres - 50.7%
Describe Proposed Public Improvements to be Installed by the Applicant: SEE ATTACHED

RECEIVED



PROPOSED DEVELOPMENT CONT'D.

Describe the Proposed Public Improvements:
Public Road Improvements: _____

Sanitary Sewer: _____

Water Mains and Service Including Fire Hydrants _____

Stormwater Management: _____

Street Trees and Landscaping: _____

Describe Private Improvements:

On-Site Circulation, Access and Parking: Square Footage/Acres _____ % of Total Site _____.

Parks, Open Space and Recreation: Square Footage/Acres _____ % of Total Site _____.

Single Family Residential: _____ Total units

2-Family Residential: _____ Total units

Multi-Family Residential: _____ Total units

Commercial: type and number of units _____, Square Footage/Acres _____

Office: type and number of units _____, Square Footage/Acres _____

Other: type and number of units _____, Square Footage/Acres _____

Drainage Improvements On-Site – Method: _____

Perimeter Vegetation and / or Fencing / Buffers: _____

Development Timetable – Number of Construction Phases: _____

I, RONALD B. CONNERS Ph.D., hereby state that all of the above
statements and statements contained in the documents submitted with this application are true.

Ronald B. Connors, Ph.D.
Signature of Applicant

6/15/2018
Date



CASE # _____
UDC TEXT/ZONING MAP

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

I, RONALD B. CONNERS, Ph.D., hereby state that all of the above statements and statements contained in the documents submitted with this application are true.

Ronald B. Connors, Ph.D.
Signature of Applicant

June 14, 2018
Date

Required Materials to Accompany the Application for Zoning Map Amendment:

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

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

Required Materials to Accompany the Application for UDC Text Amendment:

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

Proposed text amendment;

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

Describe Proposed Public Improvements to be Installed by the Applicant

1. Public Road Improvements: Entrances to project will be on State Road 61 and will be designed according to GDOT standards and permitting requirements. All public roadways within the project will be designed according to City specifications. Public roadways will be dedicated to the City upon completion and acceptance by the City.
2. Sanitary Sewer: The project will include sanitary sewer main extensions as required to adequately serve the project. Lines will be sized based on anticipated sewer demand and will be designed according to City specifications. The extensions will connect to the City's existing sewer infrastructure onsite and will become part of the City's public sewer system upon completion and acceptance by the City. It is unknown currently if upgrades are necessary to the City's existing system to serve the project
3. Water Mains and services including fire hydrants: The project will include water main extensions as required to adequately serve the project. Lines will be sized based on anticipated water demand, including fire flow demand, and will be designed according to City specifications. The extensions will connect to the City's existing water infrastructure adjacent to the site and will become part of the City's public system upon completion and acceptance by the City. Service lines will be provided to each building requiring water service and will be sized according to demand. Service lines beyond the water meters will be privately owned lines. It is unknown currently if upgrades are necessary to the City's existing system to serve the project.
4. Storm Water Management: The project will provide storm water management meeting the City's requirements.
5. Street Trees and Landscaping: Streets will be lined with a mix of appropriately sized landscape trees, shrubs, and turf. Landscaping will be selected based on cold hardiness zone and surrounding plant material. There will be a mixture of evergreen, deciduous and perennials.

Describe Private Improvements:

On-site Circulation, Access and Parking

Circulation (+/- 18.23) Parking (+/- 6.77) = +/- 25 Acres

% of total site: (+/- 8.5%) and (+/-3.1%) = 11.6%

Parks, Open Space and Recreation:

Approx. Open Space Acres: Easement 8.04 + (+/-103.8 acres) = +/- 111.84 acres

Drainage Improvements on Site – Method. Storm water drainage will be analyzed with the design of the site to adequately serve the project. Piped drainage systems will be included along roadways and within the development and will be sized and designed according to City specifications.

Perimeter Vegetation and/ or Fencing /Buffers: A mixture of evergreen shrubs and trees; a privacy fence if needed and plant material to create a plant buffer between the properties where needed.

Development Timetable to Be Determined by Owner and Budget.

Describe Private Improvements:

Single Family Residences: +/- 161 homes in pocket community neighborhoods (+/- 91.07 acres)
and future (+/- 5.08 acres) = approx. +/- 96.15 acres

Two Family Residences: 0

Multi family Residences: 10 homes with 18 units each = +/- 180 units (+/- 27.86 acres)

4 complexes with +/- 140 -160 units

Total multifamily units: +/- 328-348 some of these overlap with acres below.

Commercial: +/- 24.25 acres

Life Plan Community +/- 35.05 acres

The Design of Avemore and its Community Amenities

A critical element in the design of Avemore is the concept of New Urbanism. Andres Duany and Elizabeth Plater-Zyberk, two of the founders of the Congress for the New Urbanism, observed mixed-use streetscapes with corner shops, front porches, and a diversity of well-crafted housing while living in one of the Victorian neighborhoods of New Haven, Connecticut. They and their colleagues observed patterns including the following:

- The neighborhood has a discernible center. This is often a square or a green and sometimes a busy or memorable street corner. A transit stop would be located at this center.
- Most of the dwellings are within a five-minute walk of the center, an average of roughly 0.25 miles.
- There are a variety of dwelling types — usually houses, rowhouses, and apartments — so that younger and older people, singles and families, the poor and the wealthy may find places to live.
- At the edge of the neighborhood, there are shops and offices of sufficiently varied types to supply the weekly needs of a household.
- There are small playgrounds accessible to every dwelling — not more than a tenth of a mile away.
- Streets within the neighborhood form a connected network, which disperses traffic by providing a variety of pedestrian and vehicular routes to any destination.
- The streets are relatively narrow and shaded by rows of trees. This slows traffic, creating an environment suitable for pedestrians and bicycles.
- Buildings in the neighborhood center are placed close to the street, creating a well-defined outdoor room.
- Parking lots and garage doors rarely front the street. Parking is relegated to the rear of buildings, usually accessed by alleys or corrals for cars.

To achieve the wonderful design of Avemore and to create its amazing amenities, the Owners have retained the architectural firm of Rhinehart and Pulliam to design the residential and commercial components of Avemore. This firm is well known as the leading architectural firm that contributed to the design of Serenbe, the most prominent mixed use – residential and commercial development in the State of Georgia.

The Owners will require that a Design Review Committee be responsible for the review and approval of all residential and commercial structures built in Avemore, supervised and controlled by the Property Owners. The architects will be responsible for the creation of extremely detailed architectural specifications for every Avemore structure.

Avemore will include many amenities accessible to its residents:

1. Conservation Easement. The property includes a 16-acre parcel dedicated as a conservation easement that will be readily accessible through extensive walking trails.
2. Observation Tower. The property will include an Observation Tower that will permit a view of the skyline of Atlanta.
3. Picnic Area. A large picnic area with associated parking areas will be accessible to residents and visitors to Avemore. Picnic tables, walking trails and fire pits will be built in this area.
4. Swimming Pool. A large indoor heated swimming pool located in the LPC main building will be accessible to all residents.

5. Water Feature. A large water feature will be built on the eastern side of the primary LPC structure. The water feature will be accessible to all residents of the community and will be linked with walking trails that will extend throughout the Community.
6. Extensive walking trails. An important element of the entire community is the placement of extensive walking trails. These trails will extend to the east and west boundary of the property and will meander throughout the different districts of Avemore. The Owners are committed to connecting the walking trails to the Villa Rica Community trails under current discussion and planning with the City Management.
7. A volley ball court will be constructed in one of the residential community areas, with additional amenities such as fire pits and outdoor tables for the use of the residents.
8. A public Amphitheater will be built on the property to allow for larger public entertainment activities.
9. The Williams Farm, an historically significant family farm that contributed to the History of Villa Rica and Carrolton will be restored and made accessible to the residents and visitors of Avemore. The Williams Farm gardens will also be restored. The Owners are exploring the development of a petting area that will enable the residents of the Life Plan Community and other residents of Avemore to explore the animal life of the area.
10. Camp Lucretia historic monuments will be placed where this CCC Camp was located. This Camp was created in the 1930s and housed several hundred young men who were working in a Federal program to provide families with additional financial support during the national depression.
11. New Urbanism Design. The primary architectural concept behind the Avemore Community is New Urbanism. The Owners are creating a property where the pricing of residences is within the reach of the mid-market family.
12. Individual houses will be relatively smaller houses with large front porches using the design concepts of Ross Chapin as shown in his book entitled *Pocket Neighborhoods: Creating Small-Scale Communities in a Large-Scale World*. The Taunton Press. 2011.

Avemore

Avemore is a village in West Georgia being developed with the concept of health and wellness at its core. The village will consist of three districts: a commercial area, a residential area, and a Life Plan Community at the center. The Life Plan Community district will be the central core of the community and it will consist of four elements: Independent Living (purchase or rental), Assisted Living (apartment or cottages), Memory Care and Skilled Nursing. The Skilled Nursing Care component will be a phase two component based upon community need.

Residents of Avemore will experience an emphasis on extending longevity through public health programming, improved availability of cost effective health insurance programs in a new group insurance concept available to all Avemore residents, not just the Life Plan Community residents, and establishing an environment where healthy living is the primary focus of the community.

We intend to develop health programs with a focus on managing the health of the population of the Avemore Village from a public health perspective. This will be achieved through linkages between the community and one of the three largest health care providers in the local region (which we are beginning to select) and well as linkages with the District Health offices in the Villa Rica/Carrollton area. We intend to develop a community data base that will outline the actual health problems of the residents of the entire community. This data base will be the critical component in the development of an overall public health strategy for this population. Then, by partnering with public health professionals, we intend to develop programming to meet the identified health needs of this population and to manage progress in achieving these community goals.

As currently envisioned, the Life Plan Community component of Avemore will consist of 100 Independent Living participants, 60 Assisted Living participants and 30 Memory Care participants. In a second phase, the Life Care Community would provide space for 100 Skilled Nursing Care patients.

Based on very preliminary estimates by the Life Plan Community architect and using the sizing assumptions of 100 Independent Living units, 60 Assisted Living units and 30 Memory Care units, a very preliminary overall estimate, without program details, is about \$42 million in construction costs. It is expected that as further design work is undertaken, these estimates will be firmed up.

Original History of the Farmstead

The Avemore property is 220 acres located on the West side of State Highway 61, approximately 1.8 miles south of I-20, the Atlanta-Birmingham main Interstate highway. The front portion of the property itself was actually the John Worth Williams (1845-1905) Farm, which was built in the late 1800's and known locally as the Williams Family Farmstead. This property runs parallel to the old Villa Rica-Carrollton unpaved road, which in turn was replaced by State Highway 61.

Because of the importance of the Williams Farmstead to the agricultural history of the State of Georgia, the property is listed on the National Register of Historic Places, which protects the farm property in perpetuity.

The Williams Family Farmstead property consists of an historic main house, which is a Folk Victorian Style cottage, with several other structures required for the operation of a dairy farm and related farming activities. The historic main house was built by John Williams in 1891 with other structures built in the following years. The family dairy business was in operation from 1891 to 1960 and there were 8 structures surrounding the family house, consisting of a horse barn, carriage house, dairy barn and supporting structures. The dairy business was a rare example of a large Georgia dairy operation which was serving the needs of local stores, schools and Grady Hospital, which received the dairy products by train each day starting in the early 1895 period. In addition to the dairy business; cotton, grain and corn were also grown and sold as produce from the farm, while maintaining the dairy business.

Another very important feature of the historical land use pattern for the property occurred in the 1930s, when descendants of the Williams Family went to Washington, DC to suggest that a portion of their land be used to create a Civilian Conservation Corps camp, as part of the Roosevelt Administrations' efforts to relieve economic hardship created by the depression. The proposal was approved and soon Camp Lucretia was created to house 140 young men who worked on land projects throughout the area, while forwarding portions of their salaries to their families. The Camp has worn down over the years, having been simple wood structures, so the proposed development project will identify these historic areas and activities with historical markers.

Over a period of years, the original owners and their descendants purchased additional surrounding parcels of land with the current parcel aggregating to 220 acres. As a part of the original business arrangement with the descendants of the

Williams Family, the current owners are committed to restoring the Williams Farm and its surrounding property and honoring the National Register requirements.

Amenities at Avemore

The Avemore Village will have many amenities. The Williams Farmstead property will be restored to its original design so that community residents can have direct access to this historic property. A small petting zoo will be developed to showcase the original animal life of the 1890's. The gardens that were developed as a part of the original Williams Farmstead will be restored for the use of the community. A walking trail, about 2.5 miles in length, will be developed throughout the property. Efforts will be made to link these walking trails so that they extend to the north and south of the Avemore property and then, to connect to the entire Villa Rica area. Street lights will be available throughout the property. Water features will be developed across the property that will be accessible to all residents. When possible, these water features will be stocked.

A public amphitheater will be built where community residents can participate in local events. Educational programs will be widely available through a linkage with the University of West Georgia. These programs will be available to all community residents, not just the Life Plan Community residents. All community residents will also have access to the public areas of the Life Plan Community, so they may use these facilities for education and other community purposes. The residents of Avemore will have access to the Life Plan Community transportation system, enabling ready access to local medical services for Doctor's appointments, shopping or other nearby events.

Community access to the facilities of the Life Plan Community will be available using identity cards. All residents of residential properties will be allowed access to the Life Plan Community facilities via membership and ID card access. This means access to the pool, gym, restaurant, bar, and educational programs which would be membership fee plus fee for services, where appropriate. Elevators and door access would be via card, so rental apartments are only accessible for appropriate persons, etc. The property will provide security personnel.

A particularly important element of Avemore is a 16-acre Conservation Easement located toward the SE front area of the property. This portion of the property has a very high elevation and will be the picnic area for the community, with ready access to picnic tables, and a very high observation tower, from which

the skyline of Atlanta is visible. As additional walking trails are added throughout Avemore, such amenities will permit additional residential and community uses to be added to the Conservation Easement.

The Commercial District

There are approximately 24 acres available at the front of the property which will be developed as commercial properties. The concept for the commercial area will be mixed use, so that the residents of Avemore will be able to live, work, play, shop and eat, all within the Commercial district. Some residential housing will be available in the commercial district. A la carte delivery of meals, groceries, and prescribed pharmaceuticals will also be readily available. In addition to some residential housing, we envision a grocery store, several restaurants, office space for local businesses, medical offices, a pharmacy, law offices, community health insurance provider, and a development property management office. The commercial district will contain the office space for the public health component, where the community health data base will be managed, and health exams provided. In addition to the above-mentioned businesses, we anticipate working with Tanner Health Systems to help them create an Urgent Care Center on the SR 61 frontage. An important component of our delivery system will be home health services and hospice services. The home health component will provide care to our residential community, as well as Independent Living and Assisted Living residents. Hospice services will also be offered to all community residents as needed. It is anticipated that an additional access point to Avemore at the southern end of State Highway 61 will be developed, to improve easy access to the property.

The Residential District

There are four general residential districts envisioned throughout the property, each one located at the four primary property corners. We are following the property design concepts of Ross Chapin, Architect, in which the pocket community concept will be our primary model. This concept is outlined in the book entitled *Pocket Communities: Creating Small-Scale Community in a Large-Scale World*. The Taunton Press. 2011. The Pocket Community Concept can be seen in detail on the internet at Rosschapin.com.

The typical cottage community by Chapin includes 8 cottages on a 2/3-acre plot that usually holds one or two larger homes. The cottages surround a "green" area that holds seating, grass and trees and a place to grow community vegetables. A parking lot is off to the side of each community, hidden from view by a fence or

bushes. Each cottage has its own small garden area surrounded by a low fence and each community has a shared tool shed and meeting room. Each small house is sold as a condominium and a monthly fee helps to maintain the garden and outlying areas.

To create a balance between the public and private areas, Chapin uses the concept of “layering”. The entryway into the main garden is the first layer, moving from public to more private. Anyone who does not belong in this area is noticed right away from each of the cottages. This way, neighbors can keep an eye on each other’s homes. The layering concept continues with the main garden area leading into the more private cottage gardens through the small fences and then each house is entered by first going up several stairs to the open front porches. The porches recall the charming bungalows of the Arts & Crafts movement of the early 1900’s. The porches extend the living area of the small homes as well as offering a convenient area for neighborly chats.

We envision housing that is in the 1,200 to 2,400 square feet in size with each house fitting into the overall design concept of Chapin. Small houses, in the 750 square foot range will also be available. Many possible individual house designs are shown on Chapin’s web site, and we will draw from this general portfolio, but not be restricted to only these designs. The owners anticipate, as a service to the Villa Rica community, that some limited access to affordable housing will also be possible, with this housing being scattered throughout the Community.

The Life Plan Community District

The Life Plan Community District will be the central core of the community and it will consist of four elements: Independent Living (purchase or rental), Assisted Living (apartment or cottages), Memory Care and Skilled Nursing. The Skilled Nursing Care component will be a phase two component based upon community need.

A recently conducted financial feasibility study shows that the proposed community can support 100 Independent Living participants, 60 Assisted Living participants and 30 Memory Care participants. In a second phase, the Life Plan Community would provide space for 100 Skilled Nursing Care patients.

Based on a detailed financial analysis currently underway, the various options for pricing of these four elements is being explored. A program pro forma

is being created to forecast how this element of the property will perform, since there is already evidence of program feasibility. There are several pricing methods currently in use for these types of programs and we are trying to determine which model fits our environment the best.

We envision the Life Plan Community District as being directed from a large multi-story central facility that would house the primary facilities of the property. The central building would include some Assisted Living properties and the entire Memory Care component, with the requisite architectural features to allow for increases in the program footprint if skilled nursing is added later.

In addition to the areas for program administration, all support facilities would be housed in this building. Dining areas, exercise areas, indoor pool, central auditorium area and related medical care areas would be centrally housed in this main building.

Project Current Status

This project is in the study phase, with architectural detailed land use plan development underway, as well as marketing materials being developed. Our marketing questionnaire has been developed and submitted to the seven-county area surrounding Villa Rica and Carroll County. We have gotten a good response to this mailing and Glynn Devins is currently completing its analysis of the results of the marketing questionnaire. Preliminary analysis shows a "Yes" regarding the question of whether there is a market for our planned services in this geographic location. More detailed analysis of this data is presently underway. We are also in the soft cost financing phase, in which we are seeking additional capital to fund the soft costs.

Avemore Mission, Vision and Values

The Avemore Mission

Avemore seeks to provide a unique living environment that treats health and wellness as the core element of its built environment. This environment is multigenerational by its structure and incorporates an architectural outcome constructed to enhance possibilities for resident interactions, while supporting an aging in place design. We will create a team that provides health education, preventative health care and long-term care, within a public health framework intended to extend longevity.

There are three districts in Avemore: the residential district, the commercial district and the life plan community. The commercial district allows businesses that support the residential and life plan community. The residential community supports residents that are primarily middle income in nature, that are interested in the development of human relationships and that can contribute their health care information to a community wide data base that will be used to support health care programming that seeks positive health care outcomes for all, while improving overall community health and well-being. The Life Plan district provides four levels of care: Independent Living, Assisted Living and Memory Care, with Skilled Nursing Care available through relationships with associated nursing care providers. Independent Living facilities are placed throughout the residential district, so that elderly residents live interspersed throughout the general community.

The Avemore Vision

The founders of Avemore seek to create a new and unique structure of community consisting of commercial, residential and life plan districts that will be a model for all such facilities in the future. This combination of facilities will enable a multi-disciplinary approach to improving longevity by focusing on the social environment, the educational environment and the health and wellness environment simultaneously. We want our community residents to provide the health data required to allow our public health professionals with the needed information to create a health, education and wellness program that will enhance longevity.

Avemore Values

We believe our primary responsibility is to our residents and their families as well as to our employees and their families. Our services will always be delivered with skill, compassion and respect, regardless of race, religion or creed. We must always understand that our primary reason for the creation of Avemore is to be of service to the people of Carroll County and the surrounding area.

REQUIRED MATERIALS TO ACCOMPANY THE APPLICATION FOR ZONING MAP CHANGES

1. Copy of a deed is attached as evidence of Ownership in the property by Winchester Real Estate Investment Company, LLC.
2. Legal Description of the property included in the planned development.
3. A Site Development Plan that proposes a requested Zoning of Planned Development is attached.
4. A written statement describing the following:
 - a. The proposed uses and the effect the proposed use may have on the surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the public interest and the purposes of Code:

There are three proposed uses for this land as follows:

Development and construction of a Life Plan Community that will provide services to the senior aged community, such as Independent Living, Assisted Living and Memory Care facilities. It is possible that, based on need, the Life Plan Community will be expanded in Phase Two to provide a Skilled Nursing Facility. The LPC will consist of a central core structure that contains the customary components of senior living services; such as wellness, eating, education, medical services, exercise, swimming facilities and other administrative and management services. The core facility will also contain housing for patients that require assisted living and memory care services. The central core facility will be surrounded by Independent and Assisted Living housing facilities that are independent of the core facility.

At the front of the Avemore, there will be a commercial area that will contain businesses that are complementary to the LPC as well as traditional commercial activities such as restaurants, pharmacy services, private practice of physicians, insurance offices, property management offices, law offices, real estate offices and other customary commercial offices.

Residential subdivisions. The Avemore Community will include traditional subdivisions as well as Pocket Communities using the model developed by Ross Chapin. These pocket communities are quite unique from an architectural perspective. They offer housing where the automobile is corralled away from the primary living areas and a design that features smaller sized houses that are located around a common, heavily landscaped core, where occupants are encouraged to communicate with their neighbors by front facing porches.

- b. We believe that the change in zone from Rural Development to Planned Development is consistent with the purpose and intent of this Code and the goals and policies of the Comprehensive Plan.

- c. The areas that are most likely to be affected by such change are State Road 61 and the likely effect is an increase in traffic to gain access to the LCC, the commercial area and the new residential area. To improve this access, we will incorporate plans for an additional entry and exit area at the south end of the property. A Traffic Study is currently under way, in coordination with the Georgia Department of Traffic.
 - d. Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts, or other social or economic conditions in the areas and zoning districts affected. We believe that this is a new model community with an emphasis on wellness and extending the longevity of the residents by incorporating new insurance concepts, new public health concepts and by adapting the concept of Pocket Communities as a method of improving the social environment through the removal of the automobile as a negative factor in the location of planned communities that can increase social contact.
 - e. The proposed time schedule for completion of the entire community as designed will be 3 to 4 years. Construction will begin following the completion of the regulatory process.
 - f. The source/method for providing utility/infrastructure services to the property will be as follows: There is a high-power line easement extending directly through the property which will be used to extend power where needed. This power line is already available, so it will not be necessary to pull power from another location. There is also water and sewer directly located through the center of the property.
 - g. A description of existing road conditions and any new roads to be included in the development and of the effect the proposed development will have on existing road and traffic conditions. The proposed roads through the planned community are shown in the attached drawing. The primary access to the community is by State Road 61 – a four lane primary road leading from I-20 to Carrollton. As mentioned in paragraph c above, the owners expect to add an additional entry and exit location to State Road 61 at the southern end of the property.
 - h. This project will require submittal and approval as a Development of Regional Impact to the Three Rivers Regional Commission. It will also require approval of the new entry and exit off State Road 61 from the Georgia Department of Transportation. The health care component will require approval of the State of Georgia Office of Health Planning.
- 5. Rezoning Application submitted as attached.
 - 6. Development Agreement
 - 7. Homeowners Association Agreement will be provided after full design of each area is completed.
 - 8. Additional exhibits as needed. None to date.

The Development Team

Architect: Mark Tilden, AIA
THW Design
2100 Riveredge Parkway
Atlanta, Georgia 30328
404-575-8900

Marketing & Advertising: Rob Adams
GlynnDevins
207 West Franklin Street
Richmond, Virginia 23220
804-649-3704

Financial Analysis & Accounting: Keith Seeloff, CPA
DHG, LLP
191 Peachtree Street, NE
Atlanta, Georgia 30303
404-575-8900

Civil Engineering: John Bass, P.E.
Georgia & West, Inc.
105 Corporate Drive
Carrollton, Georgia 30117
770-834-4694

Project Financing: Tom Bowden
BB&T Capital Markets
901 East Byrd Street
Richmond, Virginia 23219
804-398-8577

Project Management

Jay Davis, Esq.
404-969-2449

Ronald Conners, Ph. D.
478-737-8279

Richard Diment, Esq.
770-328-4187

Ethel Cullinan, Ph. D.
478-951-1138

BK

PG

5491 894

388268

(2)

After Recording, Return to:

J. DAVIS - ATTORNEY AT LAW, LLC
214 Maple Street
Villa Rica, GA 30180

PT-61-022-2016-003678
CARROLL COUNTY, GEORGIA
REAL ESTATE
TRANSFER TAX PAID \$ 300.00
INTANGIBLE TAX PAID \$ _____
DATE 9-6-16

Alan J. Lee
CLERK OF SUPERIOR COURT

WARRANTY DEED

FILED
GA. CARROLL COUNTY
CLERK OF SUPERIOR COURT

16 SEP -6 PM 4:40

Alan J. Lee
CLERK OF SUPERIOR COURT
CARROLL COUNTY, GEORGIA

This indenture made this 25th day of August, 2016, between **GOLDWORTH PARTNERS, LLC, a Georgia Limited Liability Company**, of the County of Carroll, State of Georgia, as part or parties of the first part, hereinafter called Grantor, and **WINCHESTER REAL ESTATE INVESTMENT COMPANY, LLC, a Georgia Limited Liability Company**, 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 (\$10.00) Dollars 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, to wit:

SEE EXHIBIT "A" HERETO ATTACHED FOR LEGAL DESCRIPTION.

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

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

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, Sealed and Delivered
In the presence of:

GOLDWORTH PARTNERS, LLC
A Georgia Limited Liability Company

By: *Patricia DeWitt* (Seal)
Patricia DeWitt -- Sole Member

Sharon L. Dwyer
Witness
Wanda H. Wingfield
Notary Public



File #16-0011 / 55 Goldworth Road, Villa Rica, Georgia 30180
(House/11.19 Acres)

BK

PG

5491 895

EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lot 99 of the 6th District, Carroll County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the northern right-of-way of Old CCC Camp Road which is 216 feet westerly along said right-of-way from its intersection with the centerline of Goldworth Road; running thence westerly along the northerly right-of-way of Old CCC Camp Road 175 feet to a point; running thence northerly, perpendicular to said road 252 feet to a point; running thence easterly parallel to said road 175 feet to a point; running thence southerly perpendicular to said road 252 feet to the POINT OF BEGINNING.

Said property having an address of 55 Goldworth Road, Villa Rica, Georgia 30180

(House/11.19 Acres)

RECORDED

SEP 28 2016

Alan J. Lee, Clerk

BK

PG

5491

896

388269

After Recording, Return to:

②

J. DAVIS - ATTORNEY AT LAW, LLC
214 Maple Street
Villa Rica, GA 30180

STATE OF GEORGIA
COUNTY OF CARROLL

PT-61-022-2016-003679
CARROLL COUNTY, GEORGIA
REAL ESTATE
TRANSFER TAX PAID \$ 464.00
INTANGIBLE TAX PAID \$
DATE 9-6-16

Alan J. Lee
CLERK OF SUPERIOR COURT

WARRANTY DEED

FILED
GA. CARROLL COUNTY
CLERK OF SUPERIOR COURT

16 SEP -6 PM 4:40

Alan J. Lee
CLERK OF SUPERIOR COURT
CARROLL COUNTY GEORGIA

This indenture made this 25th day of August, 2016, between **GOLDWORTH PARTNERS, LLC, a Georgia Limited Liability Company**, of the County of Carroll, State of Georgia, as part or parties of the first part, hereinafter called Grantor, and **WINCHESTER REAL ESTATE INVESTMENT COMPANY, LLC, a Georgia Limited Liability Company**, 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 (\$10.00) Dollars 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, to wit:

SEE EXHIBIT "A" HERETO ATTACHED FOR LEGAL DESCRIPTION.

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

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

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, Sealed and Delivered
In the presence of:

GOLDWORTH PARTNERS, LLC
A Georgia Limited Liability Company

Sharon A. DeWitt
Witness

By: *Patricia DeWitt* (Seal)
Patricia DeWitt - Sole Member

Wanda H. Wingfield
Notary Public



File #16-0011 / 63 Goldworth Road, Villa Rica, Georgia 30180
192.86 Acres

BK PG
5491 897

EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lot 99, 100 and 125 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the western right of way of Carrollton-Villa Rica Highway, a/k/a State Route 61, with the north line of Land Lot 99; thence westerly along said land lot line to the northwestern corner of Land Lot 99, which is the common corner of Land Lots 99, 100 and 125 and 126 of the 6th District; thence running North along the East land lot line of Land Lot 125 a distance of 1,450.00 feet, more or less, to the southeast corner of Lot 16 of Ridgeside Subdivision, Unit 5, as said lot and subdivision are shown and delineated on a plat recorded in Plat Book 30, Page 194, in the Office of the Clerk of Superior Court of Carroll County, Georgia, which plat and the record thereof are by reference incorporated herein; thence leaving said land lot line and running in a westerly direction along the south line of Lots 16, 15, 14, 13, and 12 of Ridgeside Subdivision, Unit 5, as shown on plat recorded in Plat Book 30, Page 194; Lots 37, 36, 35, 34, 33, and 32 of Block "A" of Ridgeside Subdivision on plat recorded in Plat Book 12 Page 27, said Clerk's Office and the south line of property now or formerly owned by Meadowbrook Memory Garden's, Inc. a distance of 1,700 feet, more or less, but specifically to Bay Springs Creek; thence running in a southerly direction along the meanderings of said Bay Springs Creek to a point where said creek intersects the south land lot line of Land lot 100, said District; thence running in an easterly direction along the south land lot line of Land Lot 100 a distance of 2,170 feet, more or less, but specifically to the southeast corner of said Land Lot 100; thence running in a northerly direction along the east land lot line of Land Lot 100 a distance of 1,500 feet, more or less, to a point at the northwest corner of property now or formerly owned by L.W. Thomas; thence running in an easterly direction along the north line of property now or formerly owned by L.W. Thomas a distance of 670 feet, more or less, but specifically to the west right of way of Carrollton-Villa Rica Highway, a/k/a State Route 61; thence running in a northerly direction along the west right of way of said State Route 61 a distance of 1,600 feet more or less, to the north land lot line of Land Lot 99 and the POINT OF BEGINNING.

LESS AND EXCEPT so much of said property was conveyed to George C. Holloway by Warranty Deed dated August 28, 1958, recorded in Deed Book 117, Page 454, Carroll County, Georgia Records.

Being the same property conveyed from Felix A. Williams to Eunice Inez Mitchell by Warranty Deed dated July 5, 1962, recorded in Deed Book 137, Page 545, Carroll County Deed Records, LESS AND EXCEPT that property described in the following deeds: Warranty Deed to Earnest W. Cardell and Lela S. (Mrs. Ernest W.) Cardell, dated August 25, 1967, recorded in Deed Book 193, Page 361; Right of Way Deed to Department of Transportation dated August 26, 1986, recorded in Deed Book 535, Page 418, said Clerk's Office. Warranty Deed to William G. Mitchell dated December 22, 1986, recorded in Deed Book 547, Page 448, and Warranty Deed to the City of Villa Rica, Georgia, a municipal corporation, dated March 4, 1987, recorded in Deed Book 555, Page 131, said Deed Records.

Being the same property conveyed from William G. Mitchell, Jr., Executor of the Estate of Inez Williams Mitchell to William G. Mitchell, Jr., Patricia DeWitt and John Mitchell in Executor's Deed of Assent recorded in Deed Book 864, Page 77, in the Office of the Clerk of Superior Court of Carroll County, Georgia.

Said property having an address of 63 Goldworth Road, Villa Rica, Georgia 30180 (192.86 Acres)

RECORDED

SEP 28 2016

Alan T. Lee, Clerk

BK

PG

388270

5491 898

②

After Recording, Return to:

J. DAVIS - ATTORNEY AT LAW, LLC
214 Maple Street
Villa Rica, GA 30180

STATE OF GEORGIA
COUNTY OF CARROLL

PT-61-022-2016-003680
CARROLL COUNTY, GEORGIA
REAL ESTATE
TRANSFER TAX PAID \$ 36.00
INTANGIBLE TAX PAID \$
DATE 9-6-16

Alan J. Lee
CLERK OF SUPERIOR COURT

FILED
GA. CARROLL COUNTY
CLERK SUPERIOR COURT

16 SEP -6 PM 4:40

Alan J. Lee
CLERK SUPERIOR COURT
CARROLL COUNTY GEORGIA

WARRANTY DEED

This indenture made this 25th day of August, 2016, between **GOLDWORTH PARTNERS, LLC, a Georgia Limited Liability Company**, of the County of Carroll, State of Georgia, as part or parties of the first part, hereinafter called Grantor, and **HDRMP, LLC, a Georgia Limited Liability Company**, 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 (\$10.00) Dollars 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, to wit:

SEE EXHIBIT "A" HERETO ATTACHED FOR LEGAL DESCRIPTION.

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

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

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

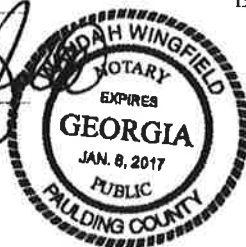
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, Scaled and Delivered
In the presence of:

GOLDWORTH PARTNERS, LLC
A Georgia Limited Liability Company

By: Patricia DeWitt (Seal)
Patricia DeWitt - Sole Member

Witness
Sheryl L. DeWitt
Notary Public



File #16-0011 - Carrollton Villa Rica Hwy. - 16.29 acres.

BK PG
5491 899

EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lot 100 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the East line of Land Lot 100, said point being located 570.84 feet North of the southeast corner of Land Lot 100, thence running North 89 degrees 31 minutes 13 seconds West for a distance of 1,100.00 feet to a point; thence running North 00 degrees 28 minutes 47 seconds East for a distance of 450.00 feet to a point; thence running North 22 degrees 40 minutes 01 seconds East for a distance of 266.45 feet to a point; thence running South 89 degrees 26 minutes 00 seconds East for a distance of 609.73 feet to a point; thence running South 00 degrees 36 minutes 57 seconds West for a distance of 145.20 feet to a point; thence running South 89 degrees 26 minutes 00 seconds East for a distance of 300.00 feet to a point on the East line of Land Lot 100, thence running South 00 degrees 28 minutes 47 seconds West for a distance of 550.00 feet to the POINT OF BEGINNING.

Said tract containing 16.29 acres.

RECORDED

SEP 28 2016

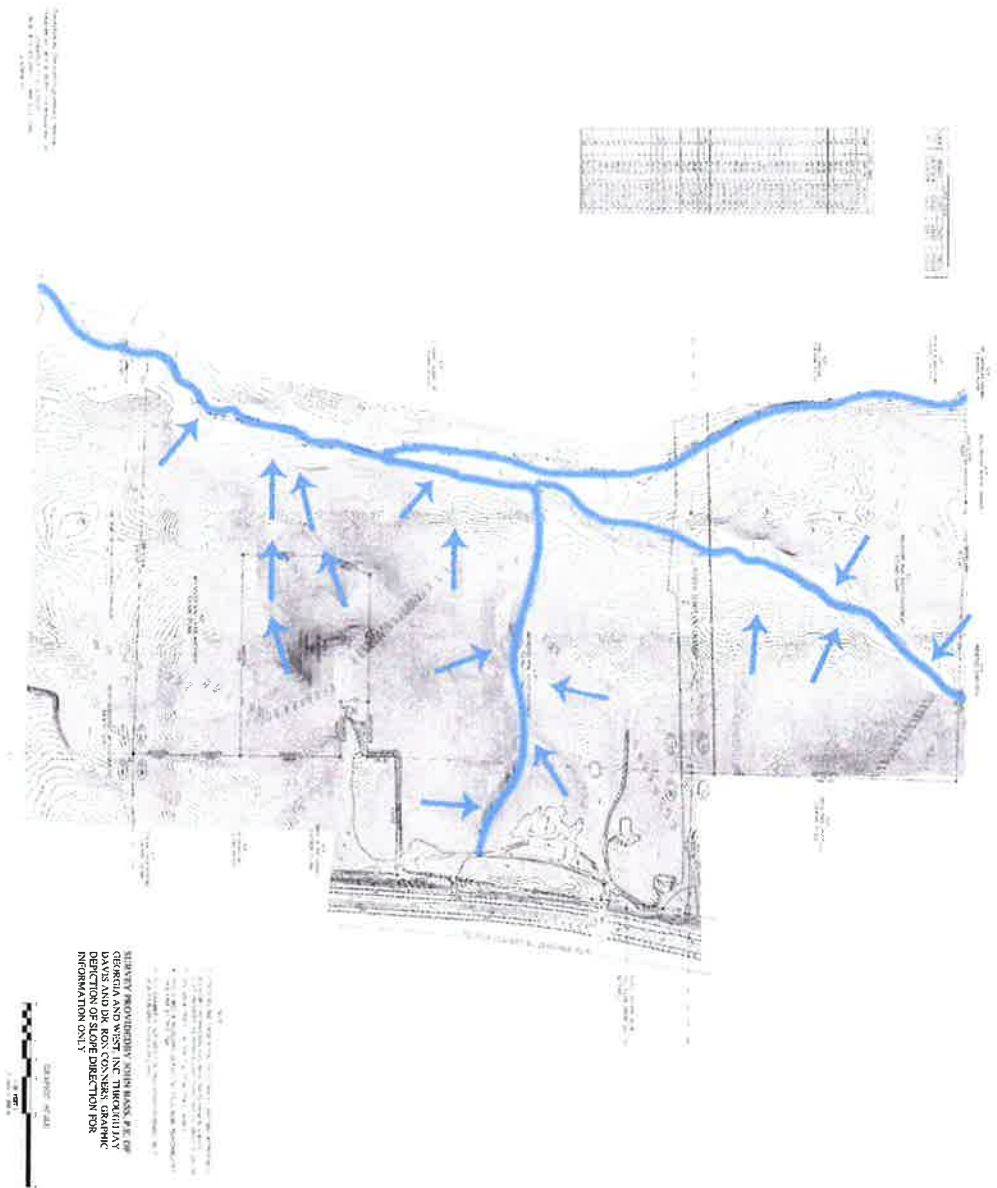
Alan J. Lee, Clerk

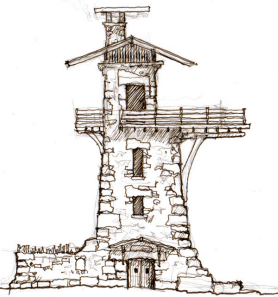


THE AVEMORE VILLAGE HYDROLOGY STUDY

PLANNING COMMISSION CHAIRMAN DATE

COMMUNITY DEVELOPMENT DIRECTOR DATE





Avemore Master Plan

A Neighborhood Plan and Architecture Guide

Prepared for
Winchester Real Estate Investment Company, LLC

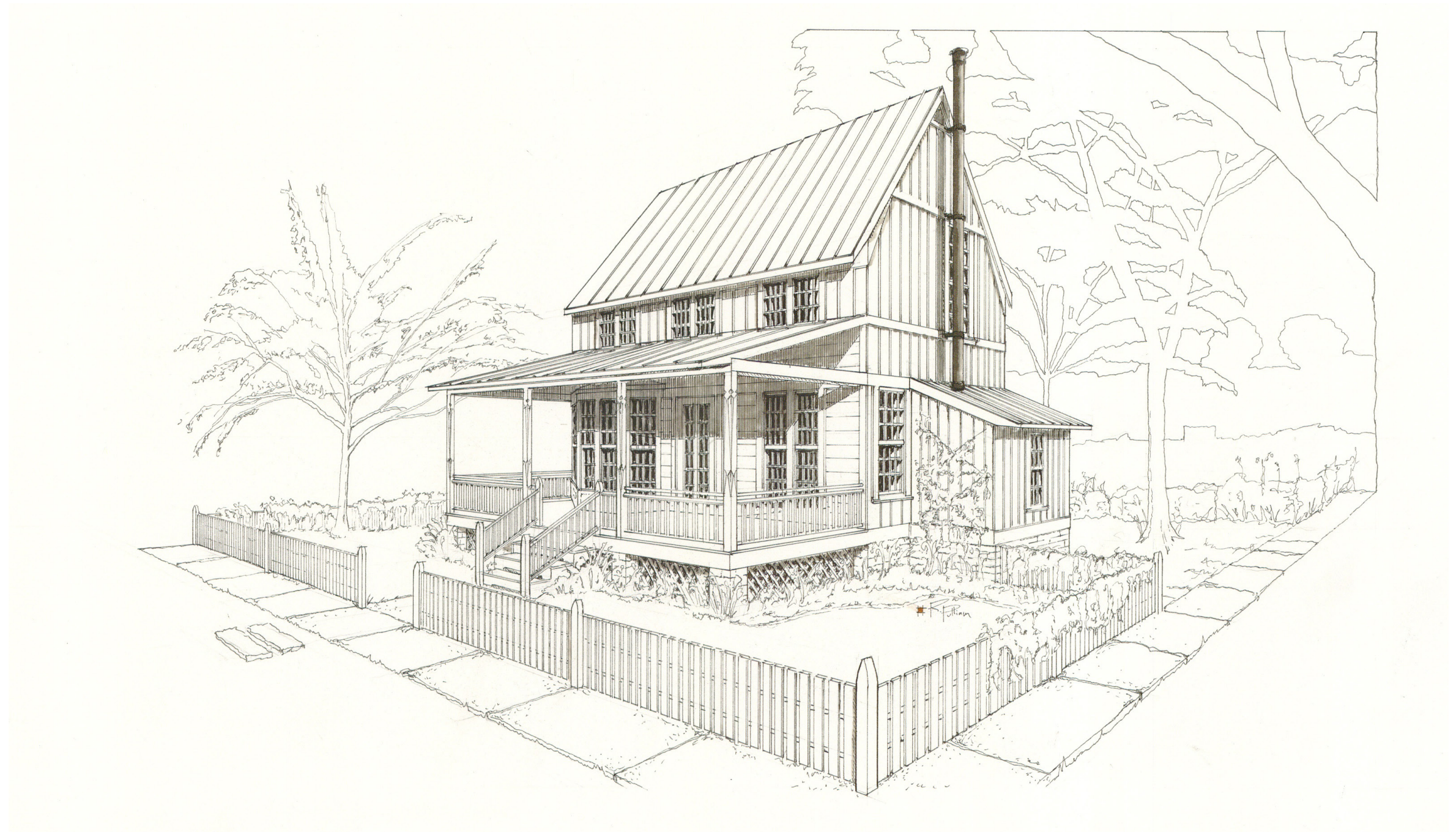
Prepared by
Rhinehart Pulliam & Company
Edwin A. Rhinehart, AIA
Robert H. Pulliam

7. 18. 2019

Design Team
Rhinehart Pulliam & Company
Master Plan, Retail, and Residential

THW Design
Life Plan Community

Georgia & West
Civil Engineering





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Avemore

The Neighborhood Plan for Avemore is unique for many reasons. Its most obvious quality centers around its strong community-based design that is intended to serve and appeal to people at all life stages—from single adults to young families to down-sizing seniors and to residents in the Life Plan Community. This quality is strengthened by its focus on integrating different housing types throughout the development, whether they be in pocket neighborhoods, around pedestrian courts, or on the tree-lined streets.

Pocket Neighborhoods

Recent professional practice in the realm of fostering active and dynamic communities suggests that smaller “next-door neighborhoods” with fewer than a handful of residences have greater cohesion than larger communities with hundreds of houses. The notion of “my street” and “my block” has a strong pull on the people who live in quality places. The urban design of Avemore seeks to reinforce the idea of a collection of smaller neighborhoods by designing the town as a collection of pocket neighborhoods. Each of these neighborhoods serves two purposes: each seeks to create a clearly defined common space intended to foster community with the handful of houses that directly relate to it, and each neighborhood also aids its adjacent neighborhoods in providing urban structure to the entire collection of residential pockets. At Avemore, a variety of pocket neighborhoods and common spaces are woven into the fabric of the development and are linked by thoroughfares or walkways.

Each pocket neighborhood has a different personality that caters to different tastes of potential homeowners. Some are smaller, more enclosed, and centered on common greens or yards, while

others are organized along pedestrian-friendly streets, intent on recalling the small town streets of yesteryear.

Pedestrian-Friendly Design

Even though Avemore is a fairly large development that responds to the land's topography, it is still a walkable town. The qualities of pedestrian-focused neighborhood design are well studied. At Avemore, these qualities are carefully cultured and amplified to the greatest extent possible. Sidewalks, pathways, and trails provide residents the opportunity to traverse the entire development on foot, from the neighborhoods to the Town Center or the protected forests. Even Villa Rica's planned Gold Nugget Trail sweeps through Avemore along the property's creeks connecting the neighborhood to the greater community.

In scale, the entire town is designed around the human, not the automobile. Streets are narrow with sidewalks wide enough for a pair of people to walk abreast. The sidewalks are insulated from traffic by landscape strips with street trees and, in many cases, on-street parking. Crosswalks at intersections are designed to reduce the distance a pedestrian must walk to cross a street. The Avemore crosswalk is in contrast to conventional neighborhood intersections that feature large radii in order to facilitate rapidly moving cars at the expense of pedestrians.

In many cases the plan has dispensed with the automobile street altogether. By creating pocket neighborhoods fronted by common greens or parks, the various neighborhoods can be scaled to humans. Walkways, garden walls, fences, and shared open spaces all function to serve humans at comfortable walking speeds, not large cars at dangerous driving speeds.



Looking West through a shared
space neighborhood



Neighborhood Planning Criteria

Overview

The Avenmore Development Team intends to abide by all city ordinances, building codes, and development standards unless this document specifies otherwise. For submissions that do not adhere to city requirements, the developer will apply for the city's approval in accordance with its plan review process.

The Master Plan included in this document is conceptual; the locations of proposed structures, both primary and secondary, rights-of-way, parking, and other components may be modified and moved as needed.

Avenmore consists of 213.7 acres of land located off of Highway 61 in Villa Rica and is a mixed-use development with retail space, office space, restaurants, hotels, live-work housing, condominiums, townhouses, and single-family homes. The Master Plan will include a community center, a chapel, parks, green spaces, ponds, walking trails, boardwalks, and wooded areas. Wherever possible, existing trees shall be protected and incorporated in the development plans. The area closest to Highway 61 is designed with more density and is intended to be more retail-centric.

At least four distinct entry points will provide separate routes for ingress and egress, the main one being from two locations off of Highway 61, and the second and third access points planned near the North and South boundaries of the property.

The Avenmore Development Team will establish a Design Review Board to ensure adherence to the Architectural Code. All applications for building and site improvement must meet the standards set by the Design Review Board as established in the Architectural Code. If building and site improvement submissions are approved by the Design Review Board, they may then be submitted to the City of Villa Rica for permit. Architectural styles will be in accordance with the styles defined in this Master Plan and will be interpreted by the Avenmore Design Review Board.

The development is designed with the following densities:

- Commercial / Office / Retail: 154,750 square feet
- Townhouses: 62 units
- Live-Work Townhouse Residences: 8 units
- Condominium / Apartments Residences: 233 units
- Single-Family Residences: 222 units
- Parking garages: in commercial areas as appropriate

Retail Diversity

A variety of commercial and retail uses contributes to a vibrant neighborhood. In order to support people living in houses and in the Life Plan Community, a diverse retail market is essential, including grocery stores, cafés, dry cleaners, bookstores, athletic centers, and restaurants. All of these businesses are accessible to residential streets, sidewalks, parks, and other pedestrian rights-of-way throughout Avemore so that residents can simply walk to their neighborhood stores, generating savings in time and money in addition to the environmental and health benefits. The walkability also contributes to a greater potential for job opportunities for local residents where people who know one another do business together.

Open Spaces

Open spaces add character to a community and create opportunities for neighbors to meet formally or informally. They create a sense of place and strengthen the community by promoting active use of areas within the development. Open spaces in Avemore such as parks, greenways, ponds, and green spaces are within walking distance of trails, sidewalks, bike paths, and rights-of-way. Paths will be designed to protect open spaces that are wetland or environmentally sensitive areas.

Detached Residential Structures

Detached residential structures on the same lot as the primary structure are permitted in rear or side yards and must adhere to the same restrictions and setbacks as the primary structure.

Setbacks

The Avemore Design Review Board will establish setbacks and build-to lines according to the zoning information set forth in this guide as a part of the design process for each lot. For the purposes of city zoning approval, the following setbacks are observed:

- Buildings adjoining Highway 61: 40’ from right-of-way
- North and South boundaries of the property: 40’ setback from property line
- Multi-Family use on property line: 100’ vegetative buffer / setback from property line
- West boundary of property: 75’ setback aligned with stream

Interior Boundaries

- Front: 0’
- Side: 0’ with required minimum of separation between structures as defined by the building code
- Rear: 5’

Encroachments

Landscape Encroachments are hardscape elements on the property such as fences, pools, garden walls, etc., that may exist between the property line and the setback. However, they must abide by fire separation requirements and, where applicable, be made of masonry or fire-rated materials.

Building Encroachments into common areas such as fire access routes, other roads, sidewalks, and garden paths must meet minimum height clearances specified by the National Fire Protection Association (NFPA) Fire 1141 Guidelines.

- Building cantilevers: up to 24” encroachment
- Roof overhangs: up to 36” encroachment
- Bay windows / balconies: up to 48” encroachment

Streets

Speed limits throughout Avemore will be set at 15mph. To conform to NFPA fire access guidelines, rights-of-way will meet the following width standards:

- Residential rights-of-way: 50’ wide with a 24’ back-of-curb to back-of-curb minimum pavement width
- Alleys: 20’ back-of-curb to back-of-curb minimum street width with 5’ setbacks on each side
- Turn radii for large vehicles are set at 25’ with mountable curbs. A radius of 10’ will be used for sidewalks at intersections.

Parking

A designated number of parking spaces is allotted for each type of building as indicated below. Parking for all units may be satisfied with other spaces within the Avemore boundaries but offsite from the unit. In addition, shared parking between units contributes to the overall parking count.

- Single-Family houses: 2 cars per unit
- Townhouses: 1 car per unit
- Condos and apartments: 1.5 cars per unit
- Retail: 3 Spaces per 1000 square feet - 455 Spaces provided
- Assisted Living / Independent Living - 314 Spaces provided
- Overflow Parking: 240 spaces provided

Sidewalks

Sidewalks contribute to an environmentally-friendly neighborhood, enable and enhance the walkable experience, mitigate the need for vehicles, and provide pedestrian connectivity and circulation throughout the development. Buffers such as greenery, trees, benches, and streetlights make sidewalks even more inviting.

Sidewalks will be at least 5’ wide. In areas with commercial, retail, and attached residential buildings, sidewalks may be made of concrete or other hard-surface paving material. In areas with detached residential buildings, sidewalks may be made of crushed slate, gravel, or pavers, provided they meet ADA design compliance requirements.

The Gold Nugget Trail will be designed to the specifications of the Villa Rica Trail Master Plan. It will cut a diagonal line across Avemore from the southwest corner to the north side. It skirts along the creeks within the property and will connect to multi-use trails and crosswalks throughout the development.

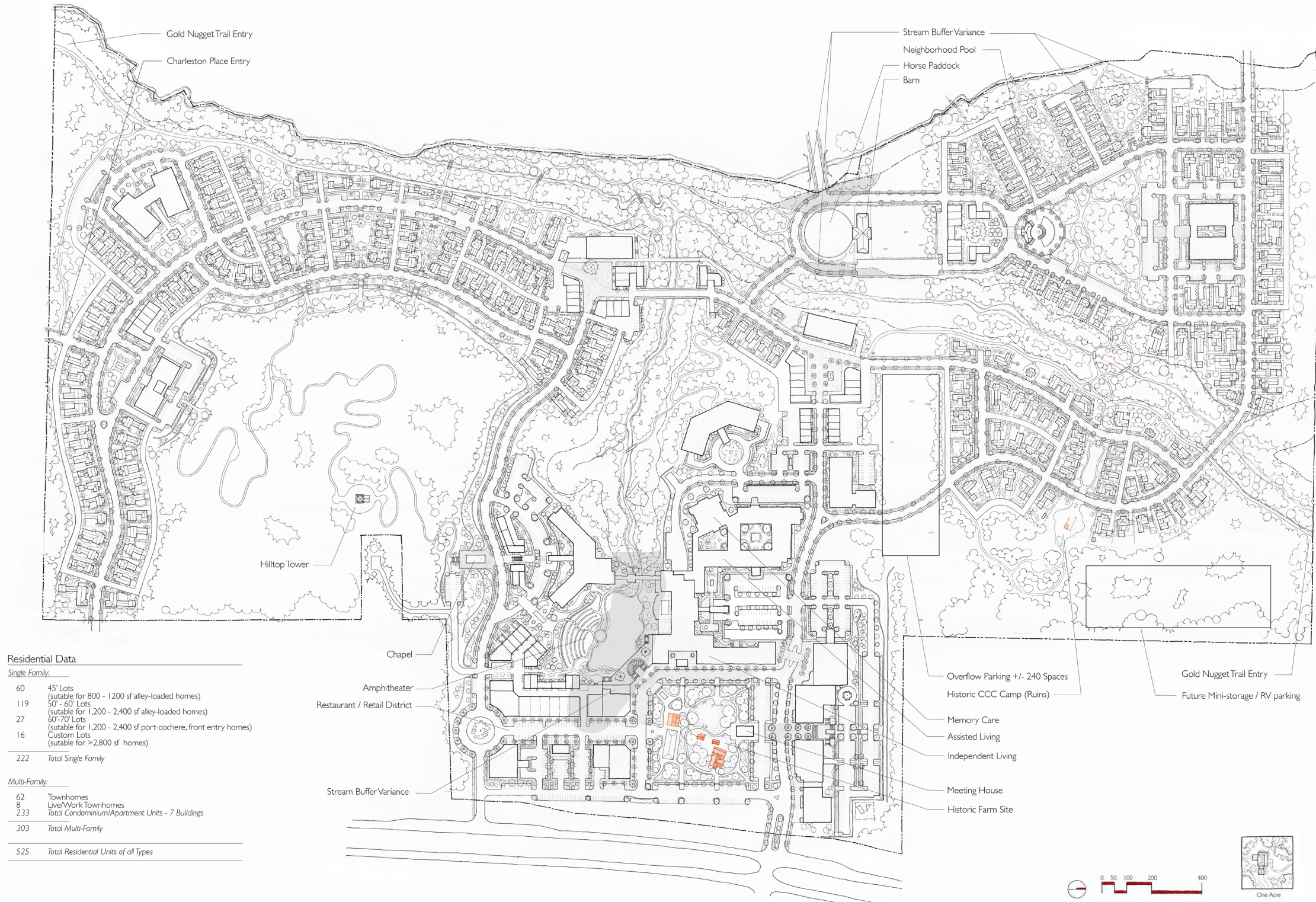
Changes to the Master Plan

This document serves as a conceptual plan. Throughout the development process, the need for changes may arise. Modifications to the Master Plan that constitute a change of less than 20% to the development can be made internally. For any major modifications that constitute a change of more than 20% to this conceptual plan, the Avemore Design Team will seek the approval of the regulating body.

Illustrated Master Plan



Looking Southwest through the Neighborhood Center



Residential Data

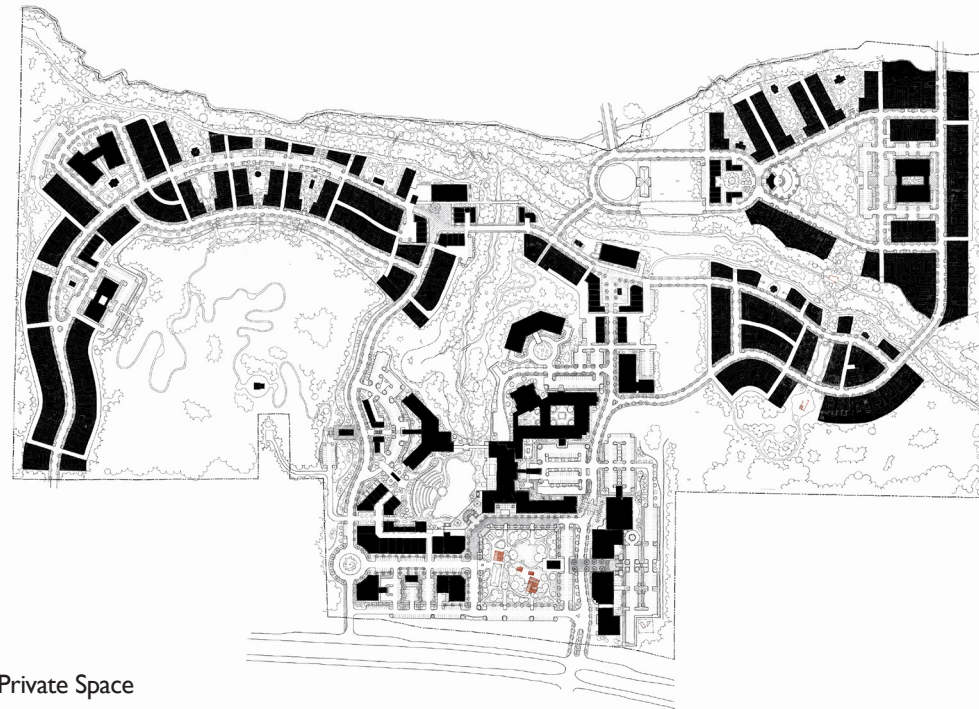
Single Family:

60	45' Lots (suitable for 800 - 1,200 sf alley-loaded homes)
119	50' - 60' Lots (suitable for 1,200 - 2,400 sf alley-loaded homes)
27	60' - 70' Lots (suitable for 1,200 - 2,400 sf port-cochere, front entry homes)
16	Custom Lots (suitable for >2,800 sf homes)
222	Total Single Family

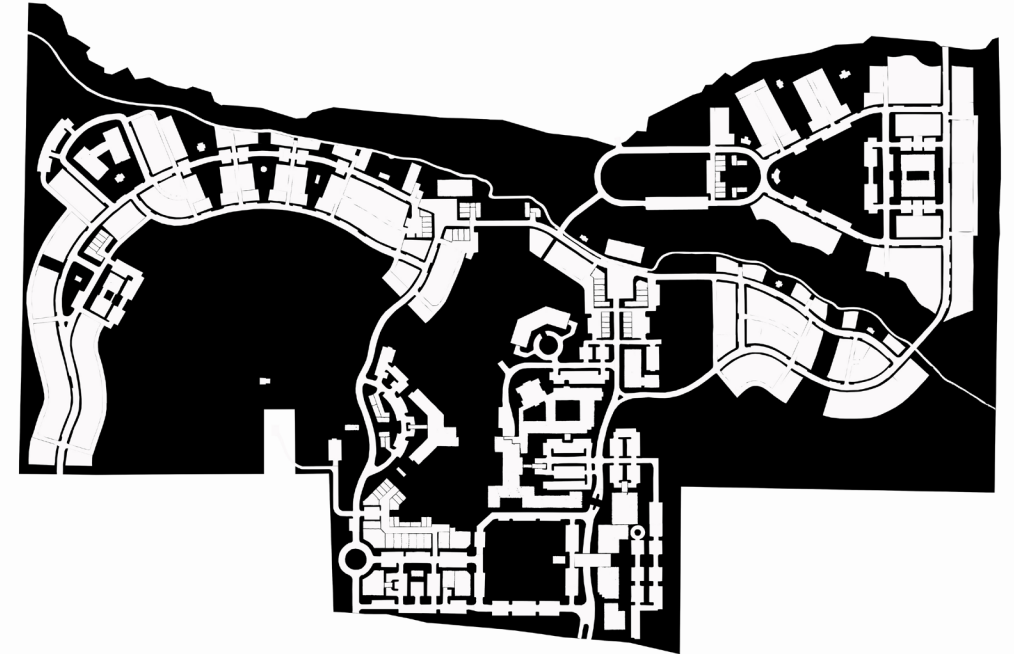
Multi-Family:

62	Townhomes
8	Live/Work Townhomes
233	Total Condominium/Apartment Units - 7 Buildings
303	Total Multi-Family
525	Total Residential Units of all Types

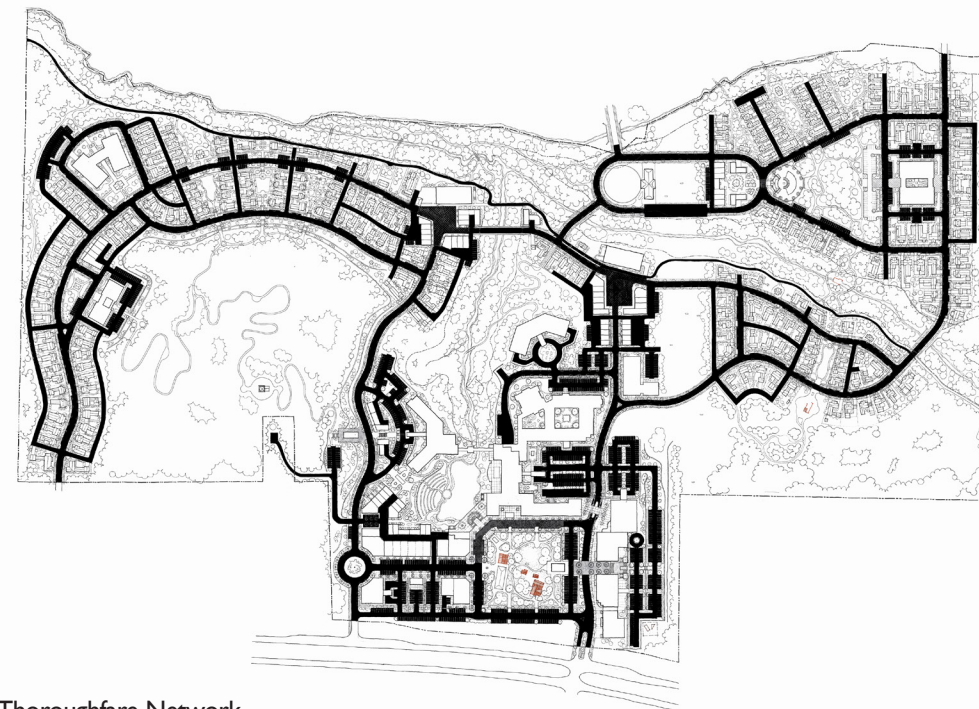
Urban Structure



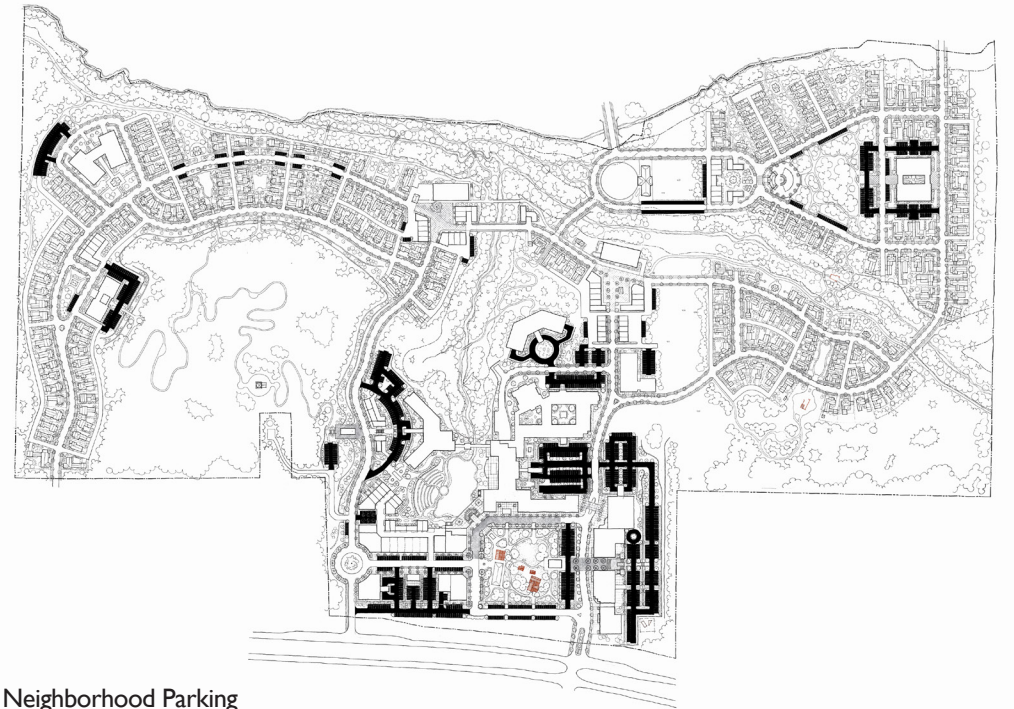
Private Space



Open Public Space



Thoroughfare Network



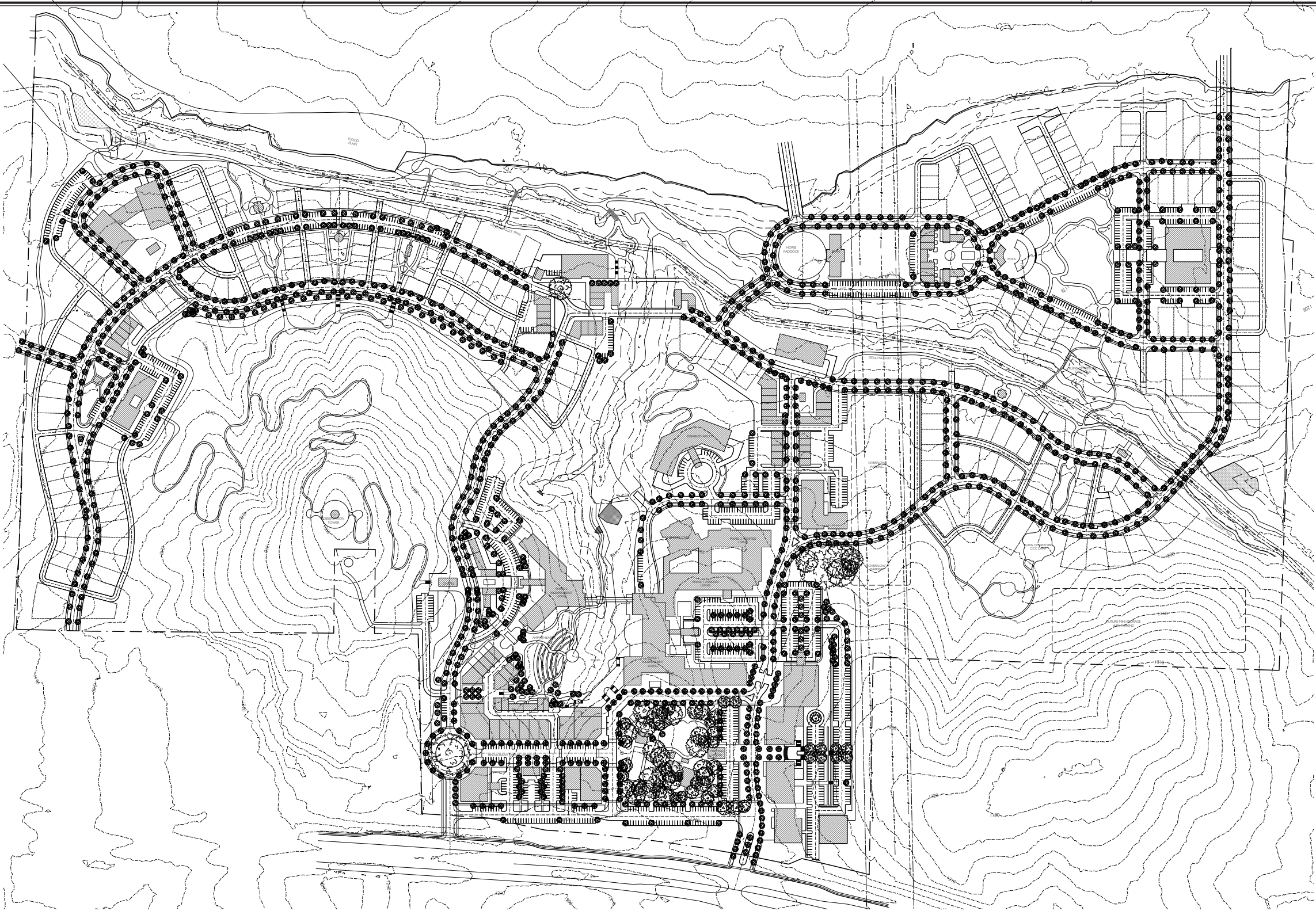
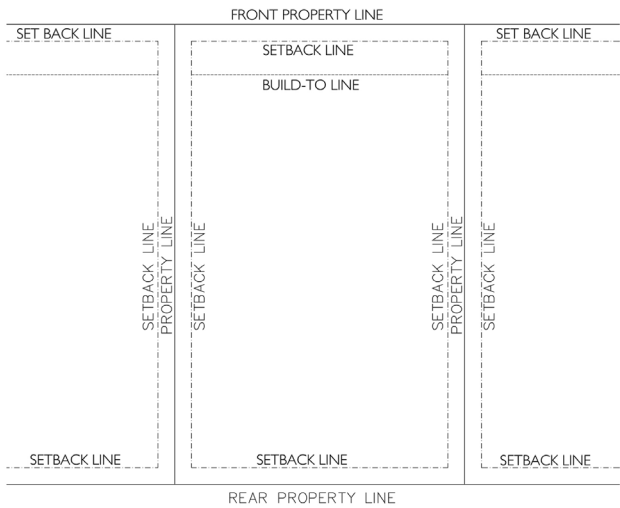
Neighborhood Parking

Regulating Plan

The Regulating Plan represents the aggregate of all of the design components in Avemore. The plan is computer-drawn and is compiled from the various process drawings. It is suitable for developing construction documents for the development, including accurate single-family lot dimensions, building pads, street layouts, and, by extension, infrastructure zones.

Regulating Plan Key and Notes

Note: Setback and Build-to dimensions are dependant on Lot Type. Refer to the Lot Type Plan for lot type descriptions and their locations.



Lot Type Plan

The Lot Type Plan indicates the nature of the various lots that make up the town and the resulting density of the buildings. Generally keyed to lot locations, this diagram serves as an essential guide to the type and possibilities of the various housing structures that can be built on any given lot. This plan is keyed to the Building Type diagrams that follow.

Lot Type Key

Single Family Lots			
Lot Type	Total	%	
 Cottage Court	60	11.4%	
 House	135	25.7%	
 Port Cochere House	27	5.1%	
Total Single Family	222	42.2%	
Multi-family Lots			
Lot Type	Total	%	
 Townhouse/Live Work	70	13.4%	
 Apartment/Condominium	233	44.4%	
Total Multi-family	303	57.8%	
Total Residential Units**	525		

-  Retail
-  Life Plan Community
-  Civic
-  Historic Structures

**Not including Life Plan Community units



Lot Size Plan

This plan indicates the type of lot based on each lot's general width and depth dimensions. It serves as an additional guide to inform the type of housing product that can be built on a particular lot.

Lot Size Key

Single Family Lots			
Lot Size	Total	%	
40' x 65'	60	20.5%	
50'-60' x 80'-120'	119	40.7%	
60'-70' x 80'-120'	27	9.2%	
Non-Conforming	16	5.4%	

Total Single Family	222	75.8%	
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Townhouse Lots			
Lot Size	Total	%	
22'-24' x 46'-50'	62	21.4%	
Non-Conforming	8	2.8%	

Total Townhouse	70	24.2%	
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Total Fee Simple Lots	292		
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- Apartment / Condominium
- Retail
- Life Plan Community
- Civic
- Historic Structures



Neighborhood Center

Building Type Summary

Building Type:

	Civic / Religious
	One Story - Retail
	Two Story - Retail First Floor Office Second floor
	Two Story - Retail First Floor Office Second Floor
	Three Story - Restaurant First Floor Office Second and Third Floor
	Two Story - Office
	Two Story - Office / Retail
	Independent Living Retail
	Independent Living
	Assisted Living
	Memory Care
	Wellness / YMCA
	Condominium
	Townhouse
	Townhouse / Cottage Lot
	Historical Building

Neighborhood Center Data

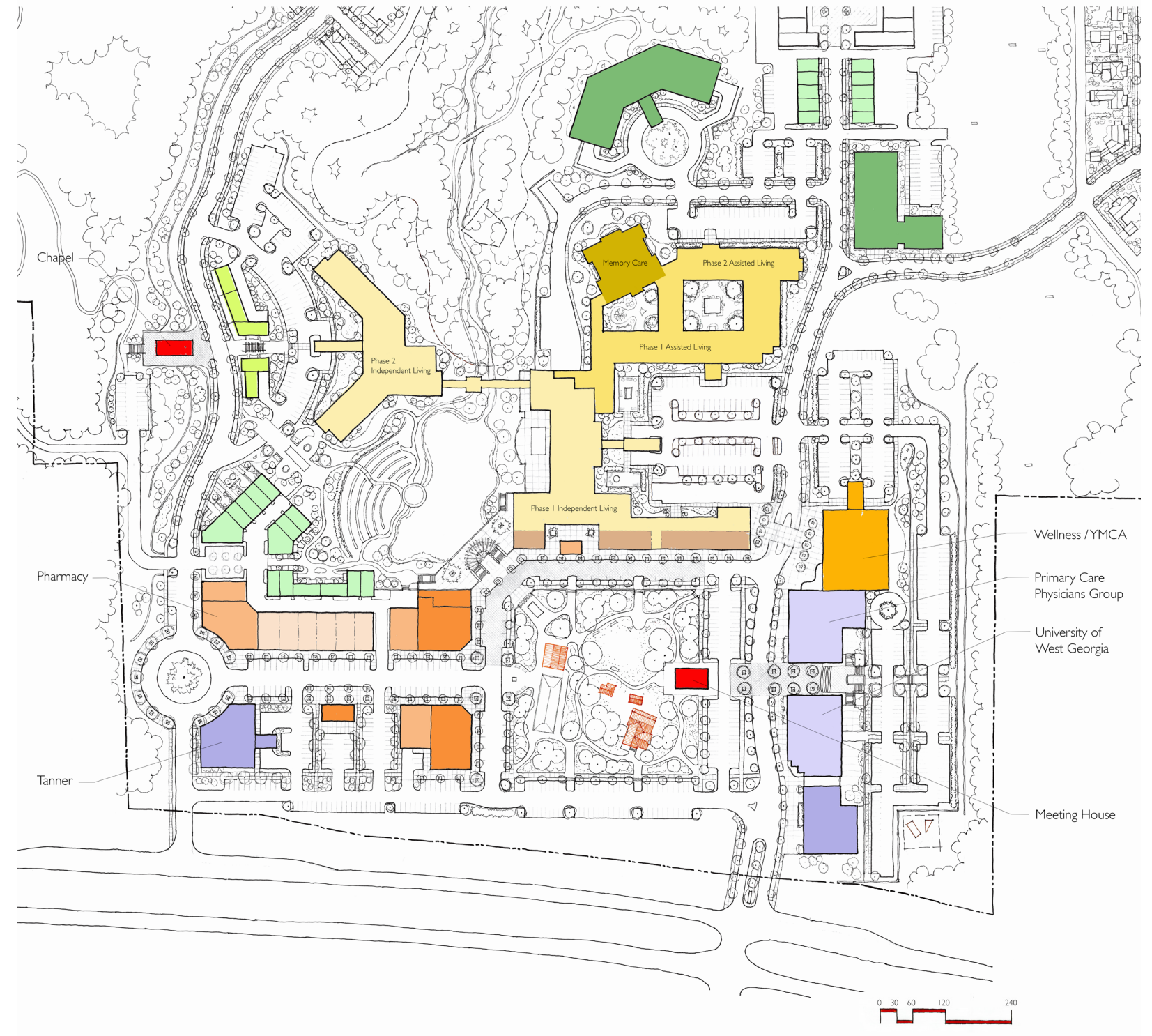
Square Footage:

Retail - 44,400 sf
Dedicated Restaurant - 12,450 sf
Office - 88,700 sf
Total - 145,550 sf

Townhouse - 19 Units
Condominium - 60 Units

Parking:

Retail / Office / Restaurant:
455 Spaces - 3 per Thousand
IL / AL / Wellness:
314 Spaces
Townhouse:
2 Spaces per unit on lot
30 Spaces guest parking
Condominium:
1.5 Spaces per unit on lot
Overflow Parking:
240 Spaces



Thoroughfare Types

The residential sections of Avemore have three basic widths for vehicular thoroughfares. The most common thoroughfare in Avemore is the 50' right-of-way street. This street has a 24' carriageway with clearance for two lanes of traffic and a 7' wide parallel parking strip at intervals along one side. The right-of-way includes 5' sidewalks and 4' planting strips on both sides of the street. Parking is contained within bulb-outs, allowing for a more ordered public appearance with pedestrian-friendly crossings at intersections.

The secondary thoroughfare is a standard alley which provides rear access to most residential lots. This alley is a 20' roadway shouldered by 5' setbacks on both sides so as to service emergency vehicles.

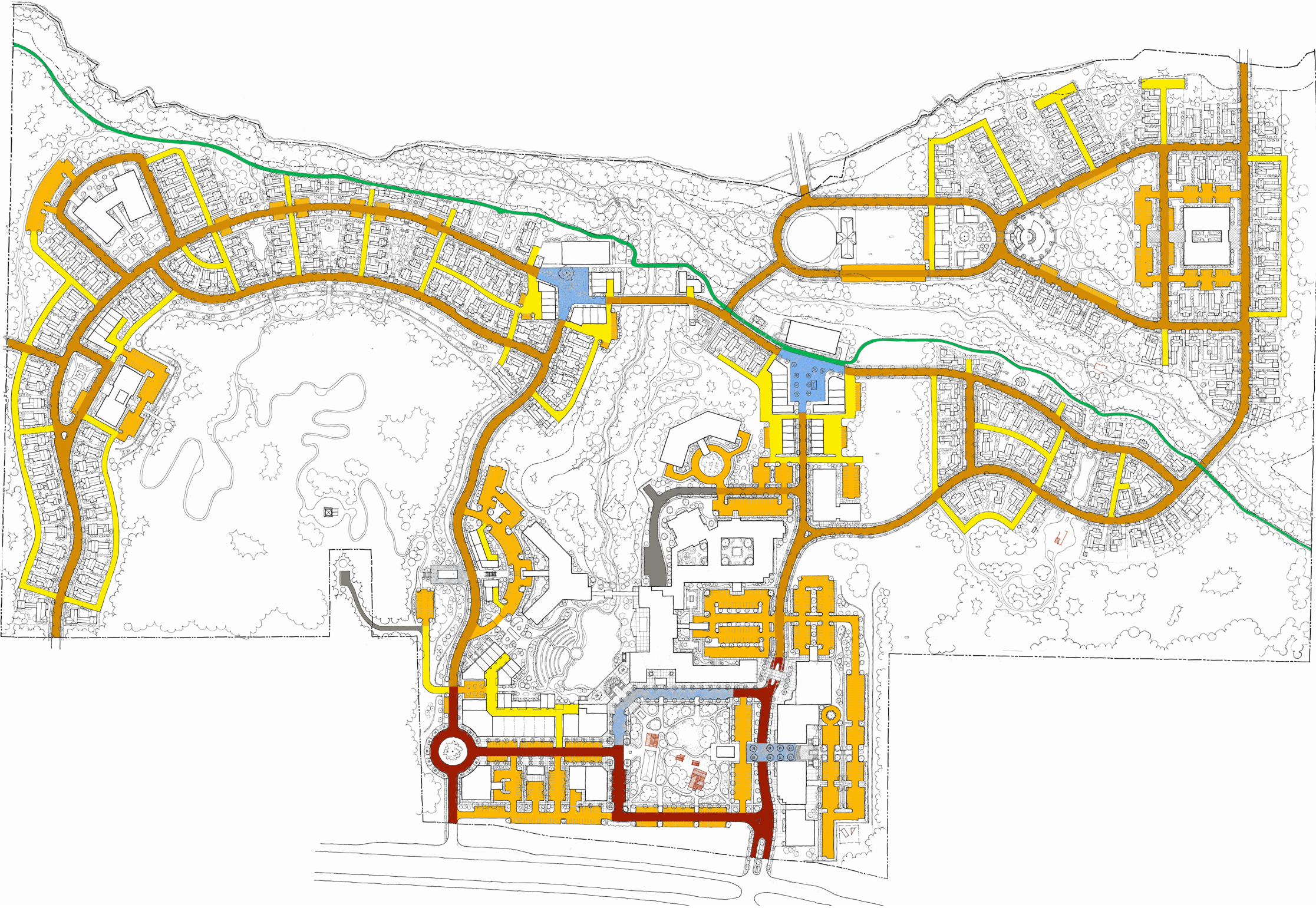
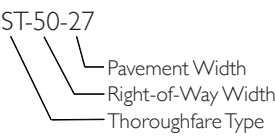
Town Center streets have a 30' carriageway and 15' sidewalks minimum. These streets also provide head-in parking, particularly at store fronts.

In addition, there are select sections of Avemore that have a *Shared Space* design approach intended to calm traffic and make these sections safer and more pedestrian accessible.

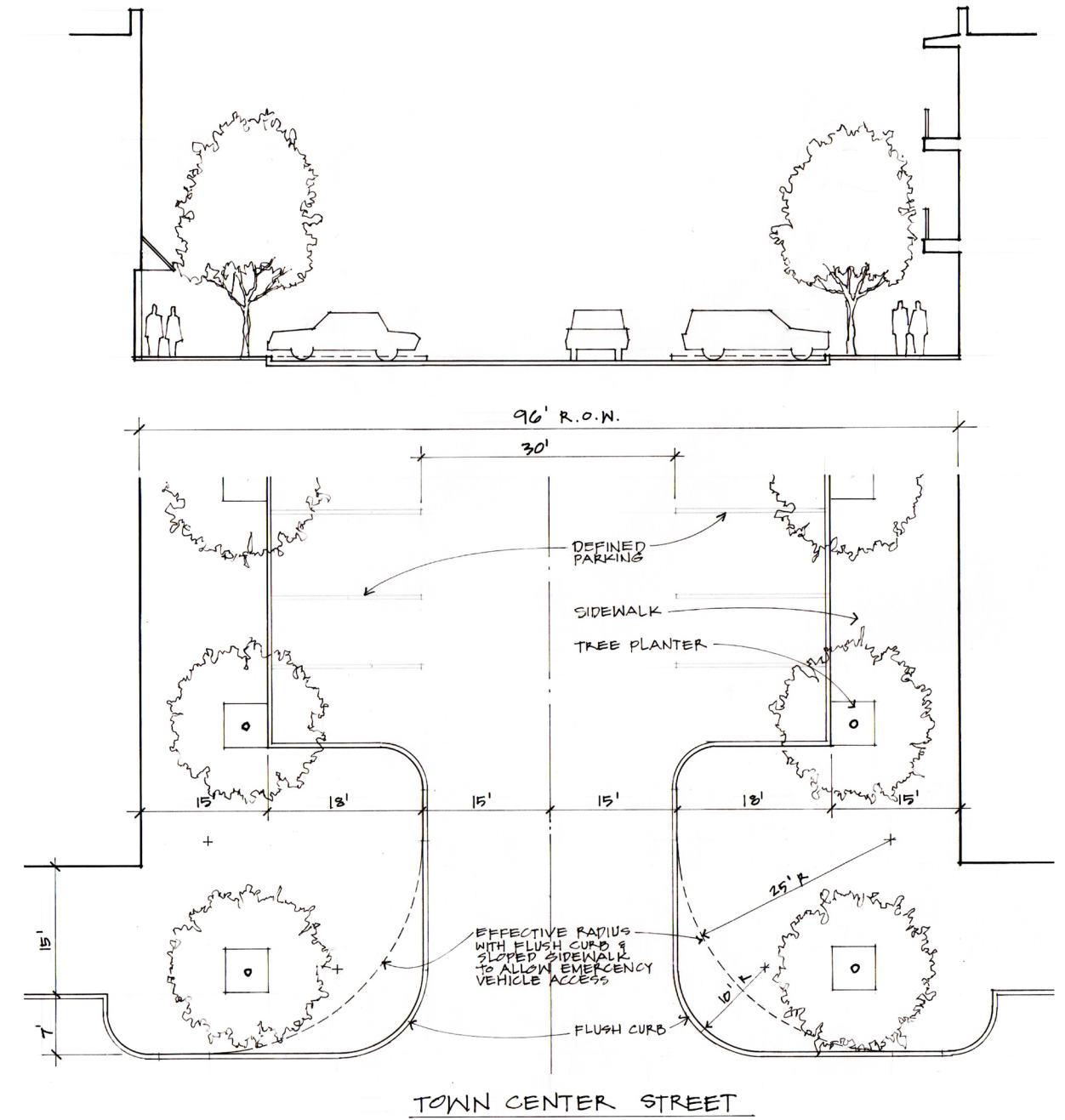
Thoroughfare Type Key

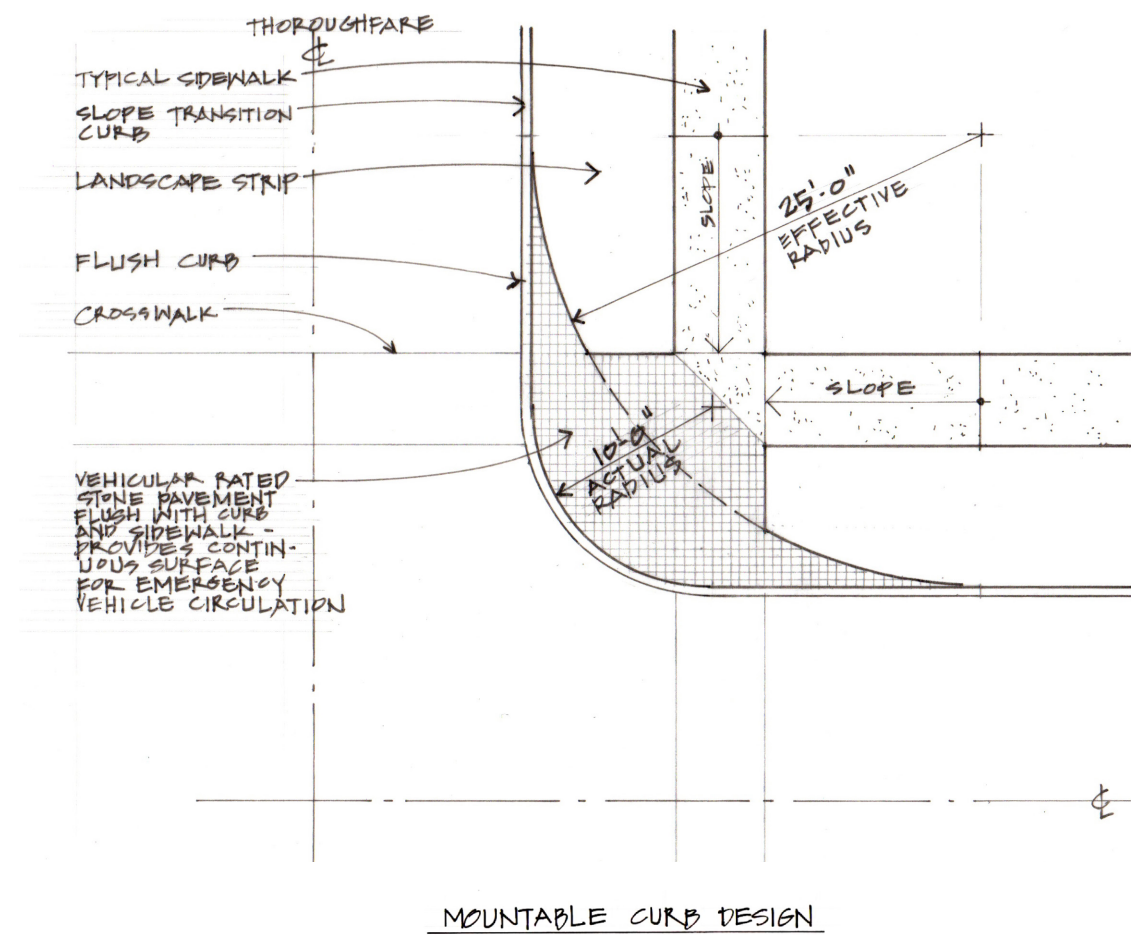
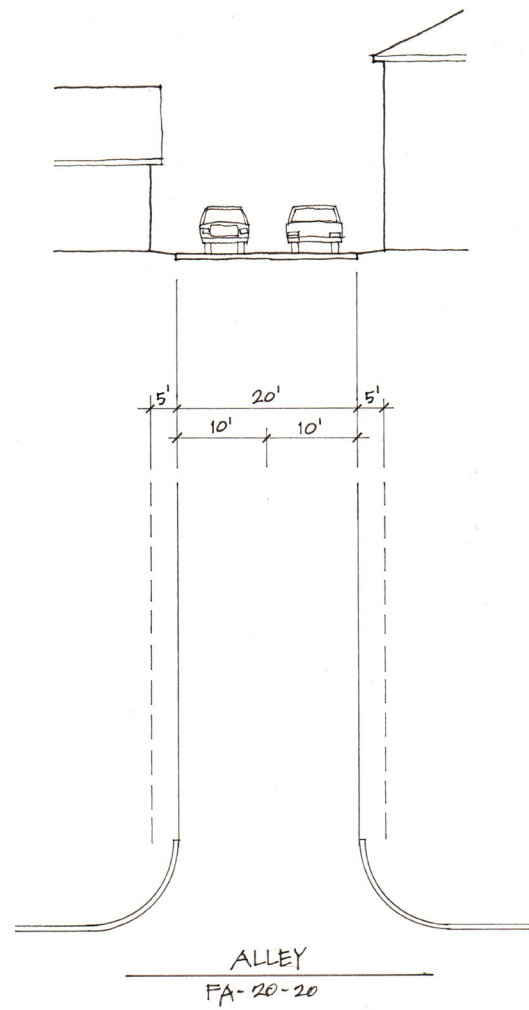
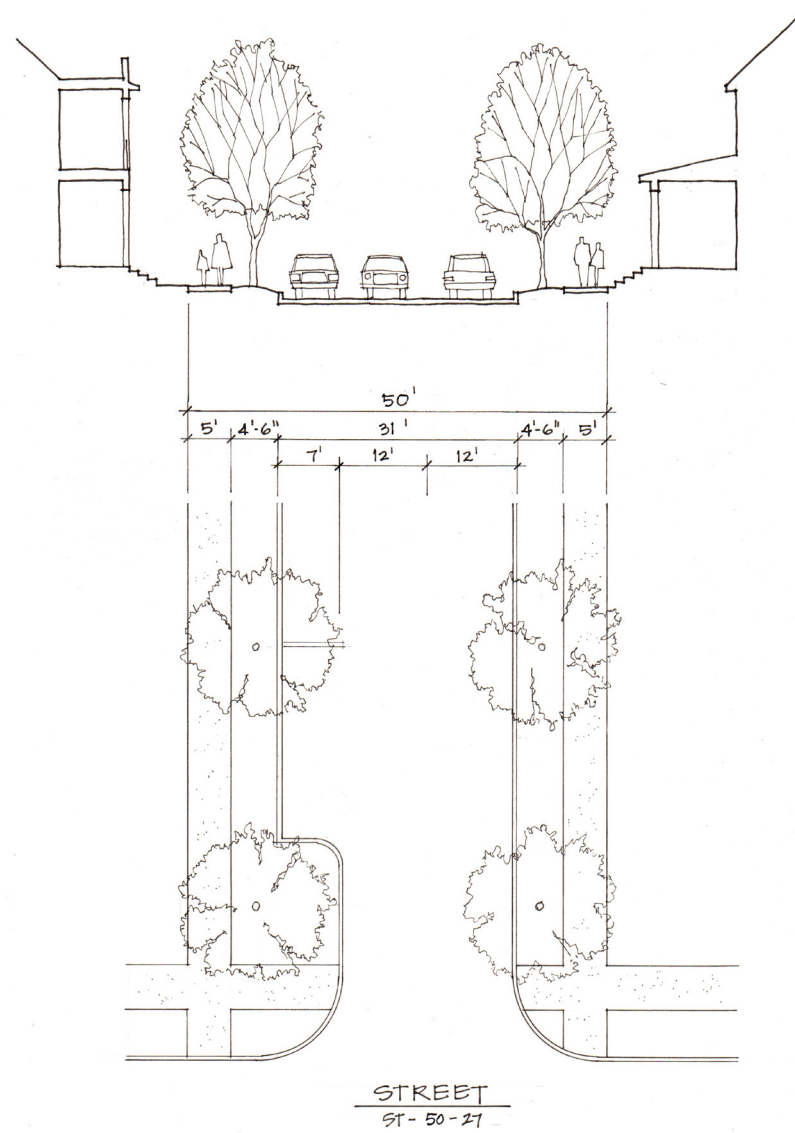
Thoroughfare Type	
	Town Center Street ST-96-60 (Varries)
	Residential Street ST-50-27
	Shared Space SS-Varries
	Alley AL-20-20 Minimum
	Parking
	Gold Nugget Trail
	Service Access

Thoroughfare Type Key

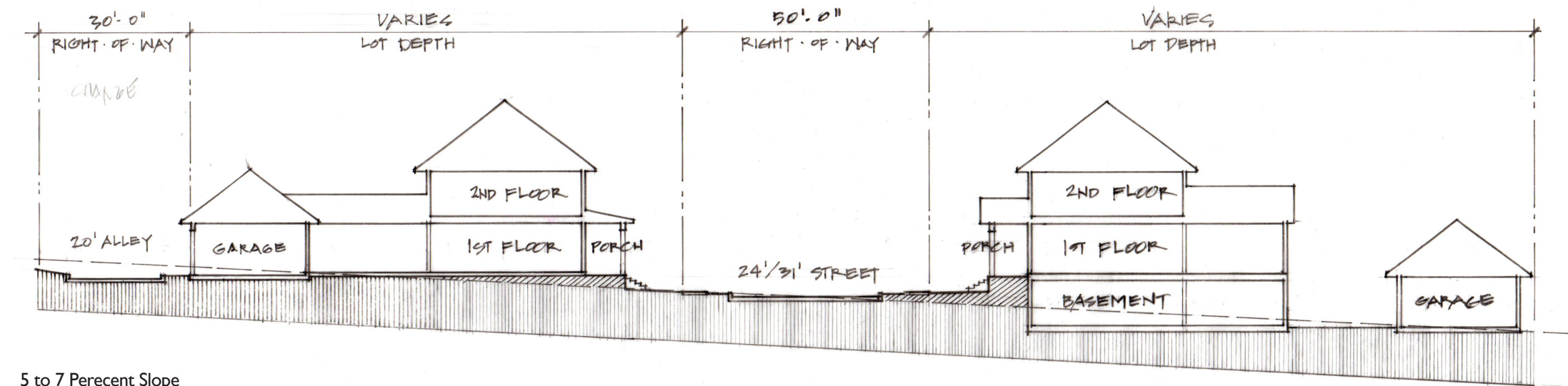


Street Sections

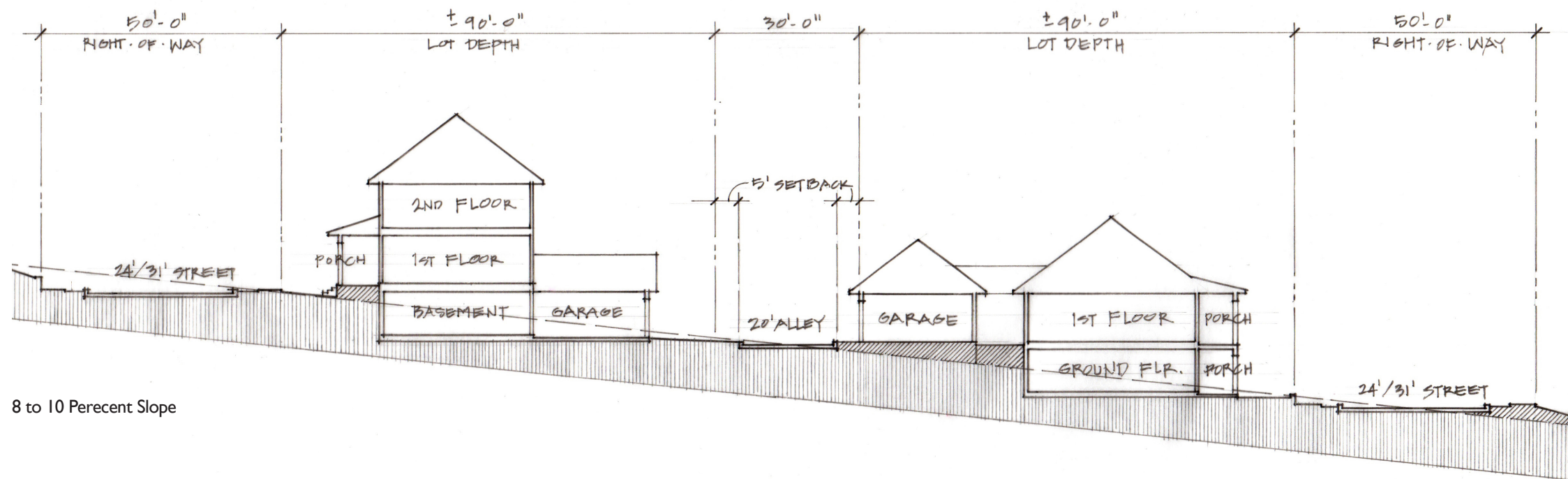




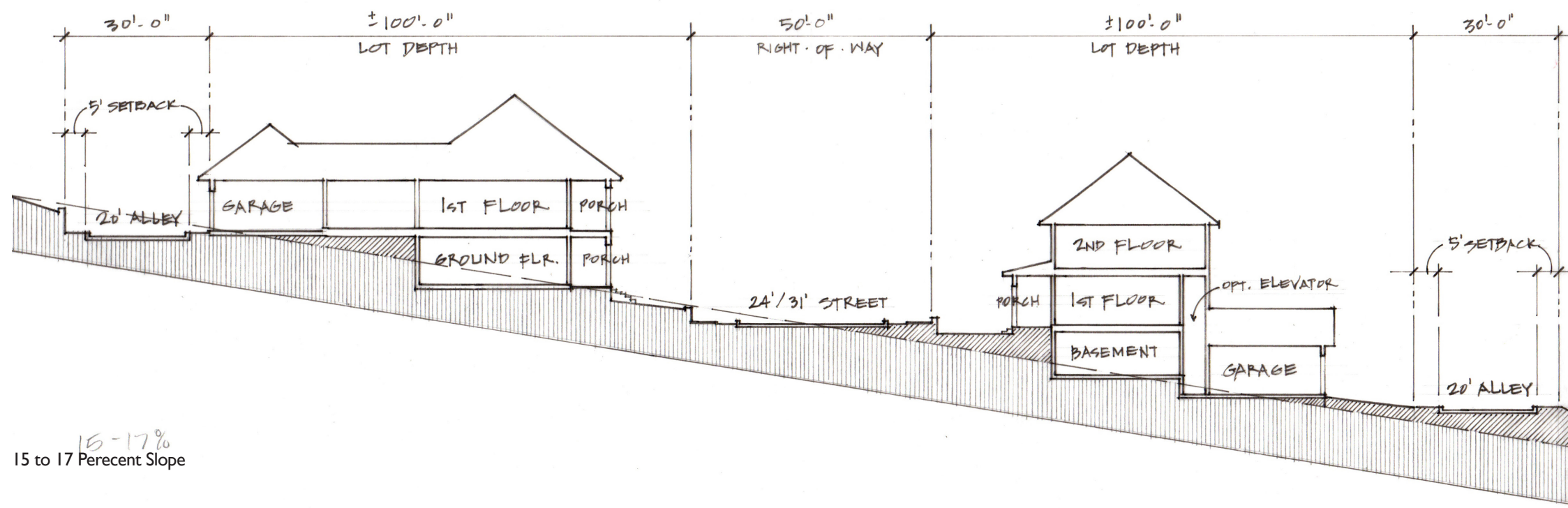
Topography



5 to 7 Percent Slope



8 to 10 Percent Slope



15-17%
15 to 17 Percent Slope



Regulating Code and Definition of Terms

This Master Plan is intended to guide the building of Avenmore. The scope of this document comprises the bulk of the Avenmore development but not all of it, as indicated on the Regulating Neighborhood Plan. Consult documents prepared by other agents for information concerning components of the Avenmore development not included in this document.

The Master Plan is administered by the Avenmore Design Review Board or its duly appointed representative, which is charged with reviewing all improvements to Avenmore for adherence to the Master Plan.

As allowed by the Avenmore Planned Development District document, this Master Plan takes precedence over local zoning codes or ordinances for the purposes of aesthetics and urban design. In matters of public health and safety, local ordinances take precedence over this Master Plan.

A waiver may be granted by the Design Review Board or its duly appointed representative on any basis, including hardships or design merit. Waivers to the provisions of this Master Plan are given under the assumption that they are unique and not binding as precedents on future waivers.

This Master Plan employs prescriptions. The use of the verb “shall” indicates that a prescription is intended to be mandatory. The use of the verb “will” indicates that a prescription is intended to be recommended. The use of the verb “may” indicates that an action is neither mandatory nor recommended.

Alley

An alley is a service right of way, public or private, that allows access to the buildings that it serves, usually from the rear. At Avenmore all alleys are a minimum of 20’ and can serve as emergency vehicle access.

Ancillary Structure,Auxiliary Building, or Outbuilding

An ancillary structure, auxiliary building, or outbuilding is a building with a different use that is located on the same lot or property as the primary building for that lot. For example, a detached garage would be defined as an ancillary structure.

Bridging

Private structures may bridge or span over public rights-of-way, provided all setbacks and minimum clearances are satisfied and all local jurisdiction laws and ordinances are met.

Build-to Lines

Build-to lines represent a requirement that the primary mass of a building be constructed along a specific line. A build-to line is like a setback in that the building must be a minimum distance from the property line, but unlike a setback, a build-to line also cannot be farther than a specific distance from the property line. Build-to lines typically exist only along a building’s principal frontage or both principal and secondary frontage in a corner lot condition.

Buildings or parts of buildings may be a maximum of 2’ from the build-to line and still satisfy the build-to line requirements. Furthermore, a building façade may be built non-parallel to the build-to line so long as the maximum deviation is less than 5 degrees. Curved build-to lines may be satisfied by construction of a building that follows the average path of the build-to line.

Architectural features that are secondary to the principal building mass such as porches, balconies, chimneys, awnings, eaves and trim, and open shutters are permitted to encroach beyond the build-to line up to a distance indicated on a per building type basis.

Construction that exists typically only at ground level such as stoops, walkways, sidewalks, driveways, fences, and garden and retaining walls are exempt from build-to line requirements.

Building Disposition

Building disposition indicates how a building is situated on a lot taking into consideration all of the setbacks, build-to lines, encroachments, heights, floor-to-area ratios, minimum and maximum frontage build-out standards, and other considerations that may be required by the Neighborhood Plan.

Building Frontage and Front Yards

The principal building on a lot shall be placed relative to the property line in such a manner that the front of the building addresses the front of the lot. The front of the building need not be parallel or have any formal relationship to the front property line. For example, the front door need not face the principal building frontage. The building shall conform to any build-to line requirements.

Frontage

Frontage indicates the façade of a building that faces a public right-of-way or open space. All buildings have at least one frontage in addition to an alley, if present. Corner lots have two frontages: a primary frontage that faces the right-of-way most closely associated with the front of the house and a secondary frontage which is associated with the other right-of-way. Houses with two frontages shall conform to the setbacks of both rights-of-way or be separated from the other houses on the secondary right-of-way by an alley or other natural break. In such a case, side yard setbacks will suffice.

Lot Line

Lot lines demark the extents of property and indicate the legal ownership of property. Encroachments shall not extend past a property line.

Pocket Neighborhood (Pocket, Muse, Court, etc.)

A pocket neighborhood is a small neighborhood typically served by a green street, a court, common yard, or another pedestrian-only right-of-way.

Primary Building Mass

A primary building mass is a building form that is architecturally more significant than other secondary building masses and is usually larger as well. It houses the primary structure programming.

Primary Structure or Principle Structure

The primary structure on a lot is the building that houses the fundamental use of that lot. However, the lot can also house other uses. For example, a house on a residential lot is the primary structure, whereas a detached garage on the same lot is not.

Secondary Building Mass or Secondary Wing

A secondary building mass is a building form that is complementary to the primary building mass. It may house any of the primary structure programming, but it is architecturally delineated as an adjunct form.

Setback

Setbacks represent a minimum standard of distance from the property line at which point the primary mass of a building may be constructed; the building may be constructed no closer than the setback line to the property line. Setbacks typically occur from all property lines of a lot—the front, sides, or rear—although different values for each condition may be specified.

Architectural features that are secondary to the principal building mass such as porches, balconies, chimneys, awnings, eaves and trim, and open shutters are permitted to extend beyond the setback line.

Construction that exists typically only at ground level such as stoops, walkways, sidewalks, driveways, fences, and garden and retaining walls are exempt from setback requirements.

Street

Streets, public or private, are rights-of-way that provide access to the buildings that are served by it. They typically, but not always, include the carriageways, planter strips, sidewalks, on-street parking, and certain services such as street lighting and fire hydrants.

Port Cochere House

Building Disposition

Setback (Distance from Property Line)

Front	5'
Side	5'
Side Street	5'
Rear	5'
Outbuilding Front	30' From Rear Property Line
Outbuilding Rear	5'
Outbuilding Side	5'
Parking Pad Front	30' From Rear Property Line

Build-to Line (Distance from property Line)

Front	15'
Side Street	5'

Encroachments

Front	10' Maximum
Side Street	5' Maximum
Side	0'
Rear	0'

Easement

Side Yard Easement	5' Where Indicated
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Building Form

Building Mass	
Primary Frontage Build-out	50% minimum Built Along Build-to Line
Secondary Frontage Build-out	20% minimum Built Along Build-to Line
Distance between Buildings	10' minimum

Height

Maximum Building Height	3 Stories
Ancillary Building	2 Stories
Ground Floor Above Grade	1'6" - 4'6"
First Floor Ceiling Heights	10' minimum**
Upper Floor Ceiling Heights	9' minimum**

**Typical finished ceiling height not including coffers, finished Knee-wall attics, or other architectural building forms

Notes

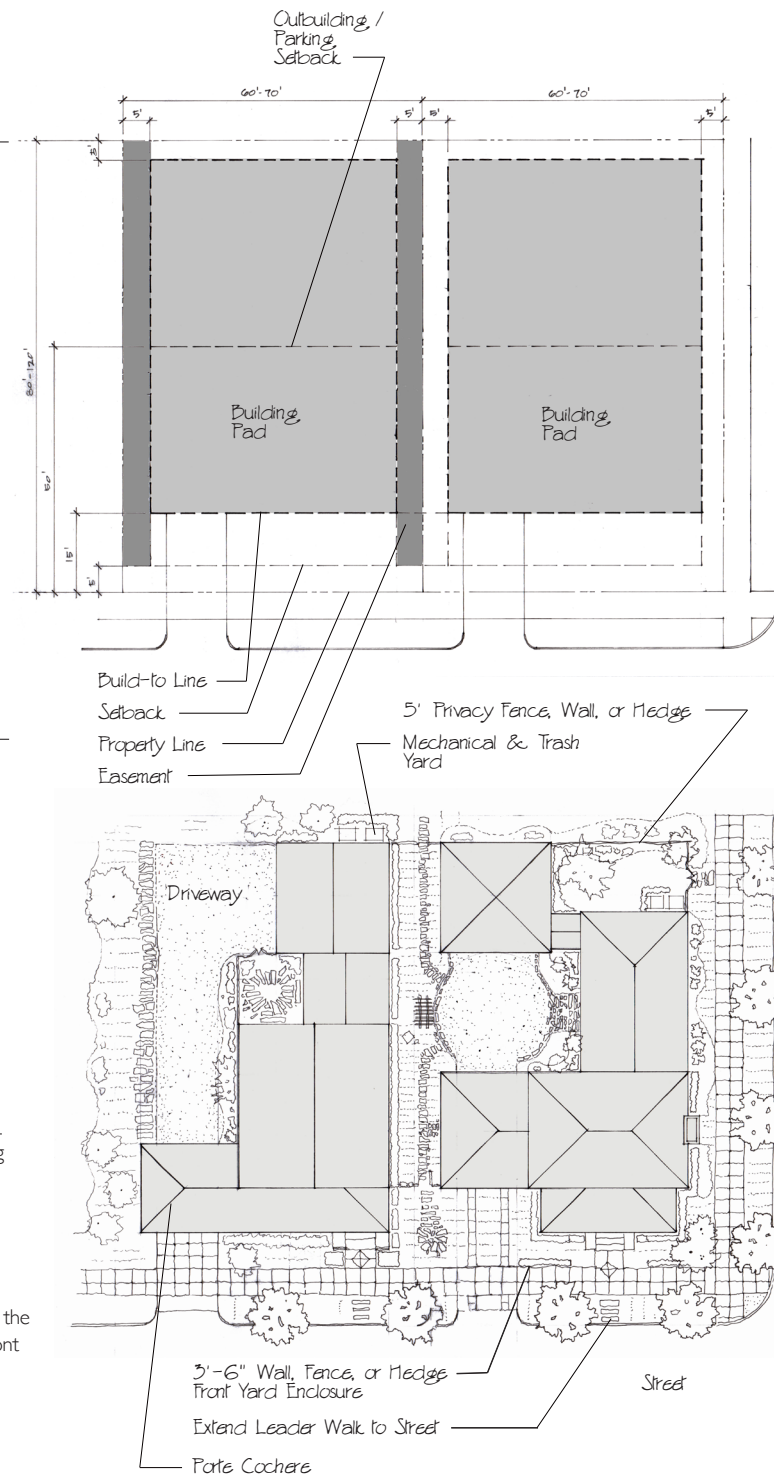
Fenestrations on building sides that face the private side yard of another building will be designed to maximize the privacy of the adjoining side yard. Light wells, transoms, and ventilation windows are acceptable.

Side yards will be enclosed with a 5' privacy fence, wall, or hedge. This privacy screen shall not extend beyond the Build-to Line.

A fence, wall, or hedge shall be built on the front Property Line and conform to the green street standard as approved by the Architectural Review Committee. Front Yards shall not otherwise be enclosed.

Mechanical Yards shall be screened with a 5' fence, wall, or hedge.

Leader walks shall extend to the street curb and be appropriate to the building design.



House

Building Disposition

Setback (Distance from Property Line)

Front	5'
Side	5'
Side Street	5'
Rear	5'
Outbuilding Front	30' From Rear Property Line
Outbuilding Rear	5'
Outbuilding Side	5'
Parking Pad Front	30' From Rear Property Line

Build-to Line (Distance from property Line)

Front	15'
Side Street	5'

Encroachments

Front	10' Maximum
Side Street	5' Maximum
Side	0'
Rear	0'

Easement

Side Yard Easement	5' Where Indicated
--------------------	--------------------

Building Form

Building Mass	
Primary Frontage Build-out	50% minimum Built Along Build-to Line
Secondary Frontage Build-out	20% minimum Built Along Build-to Line
Distance between Buildings	10'

Height

Maximum Building Height	3 Stories
Ancillary Building	2 Stories
Ground Floor Above Grade	1'6" - 4'6"
First Floor Ceiling Heights	10' minimum**
Upper Floor Ceiling Heights	9' minimum**

**Typical finished ceiling height not including coffers, finished Knee-wall attics, or other architectural building forms

Notes

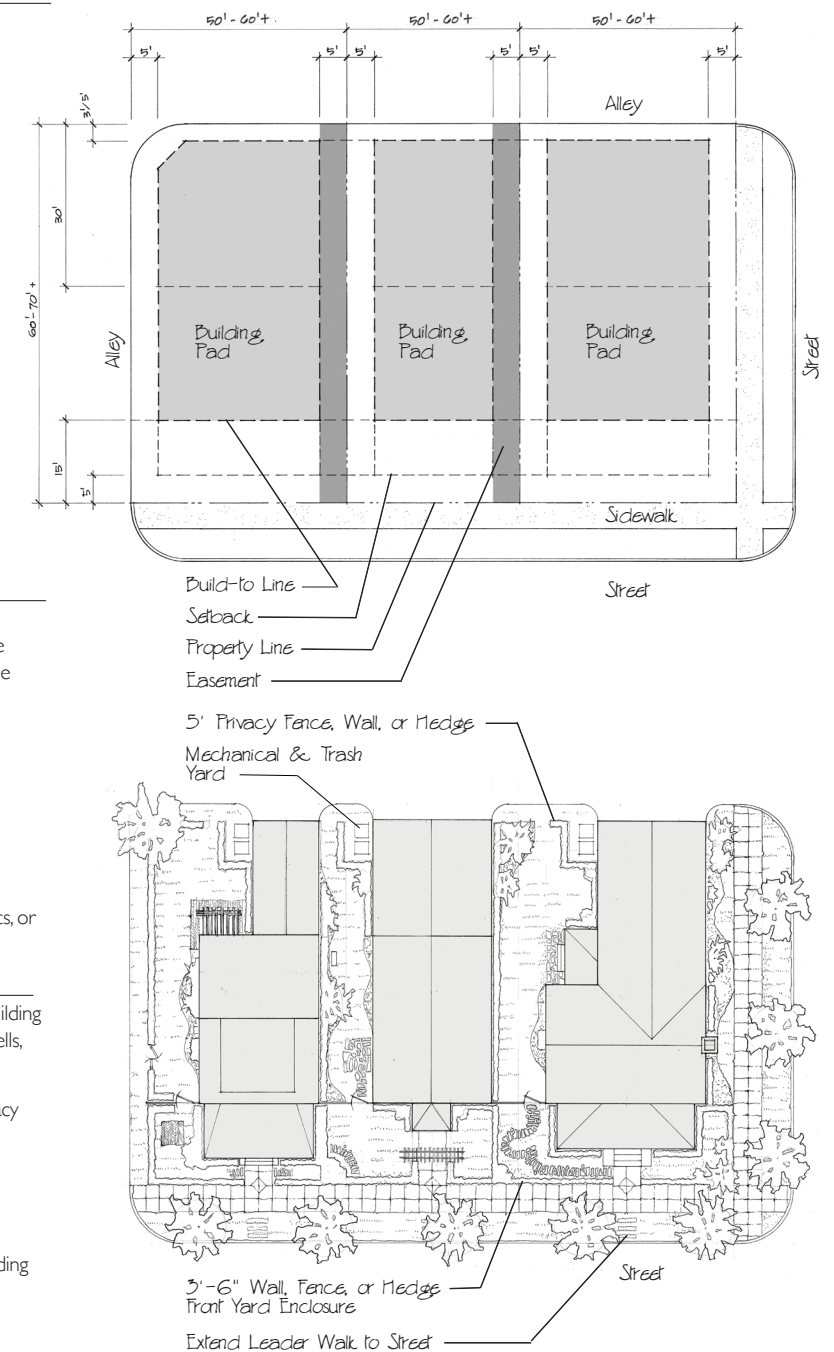
Fenestrations on building sides that face the private side yard of another building will be designed to maximize the privacy of the adjoining side yard. Light wells, transoms, and ventilation windows are acceptable.

Side yards will be enclosed with a 5' privacy fence, wall, or hedge. This privacy screen shall not extend beyond the Build-to Line.

Front Yards may be enclosed by a 3'-6" maximum fence, wall, or hedge.

Mechanical Yards shall be screened with a 5' fence, wall, or hedge.

Leader walks shall extend to the street curb and be appropriate to the building design.



Court Cottage

Building Disposition

Setback (Distance from Property Line)

Front	0'
Side	5' (0' at Landscape Buffer)
Side Street	5'
Rear	5'
Outbuilding Front	24' From Rear Property Line
Outbuilding Rear	5'
Outbuilding Side	0'
Parking Pad Front	30' From Rear Property Line

Build-to Line (Distance from property Line)

Front	6'
Side Street	5'

Encroachments

Front	6' Maximum
Side Street	5' Maximum
Side	0'
Rear	0'

Easement

Side Yard Easement	5' Where Indicated
--------------------	--------------------

Building Form

Building Mass	
Primary Frontage	60% minimum Built Along Build-to Line
Secondary Frontage	50% minimum Built Along Build-to Line
Distance between Buildings	10'

Height

Maximum Building Height	2 Stories
Ancillary Building	1 Stories
Ground Floor Above Grade	1'6" - 4'6"
First Floor Ceiling Heights	10' minimum**
Upper Floor Ceiling Heights	9' minimum**

**Typical finished ceiling height not including coffers, finished Knee-wall attics, or other architectural building forms

Notes

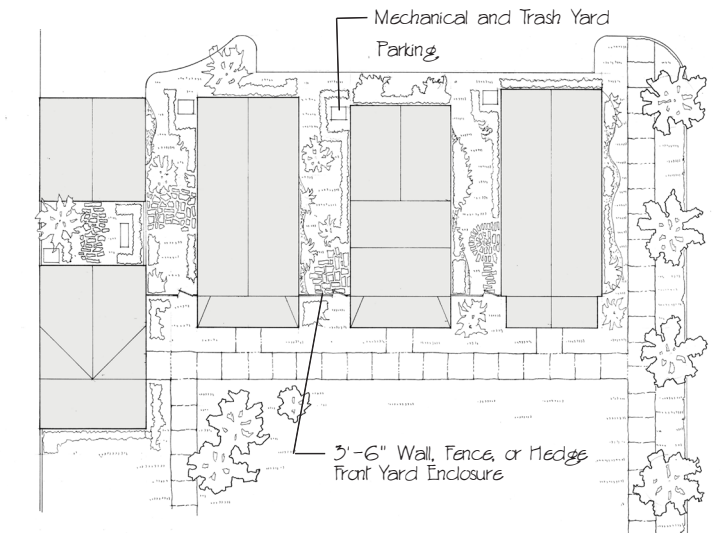
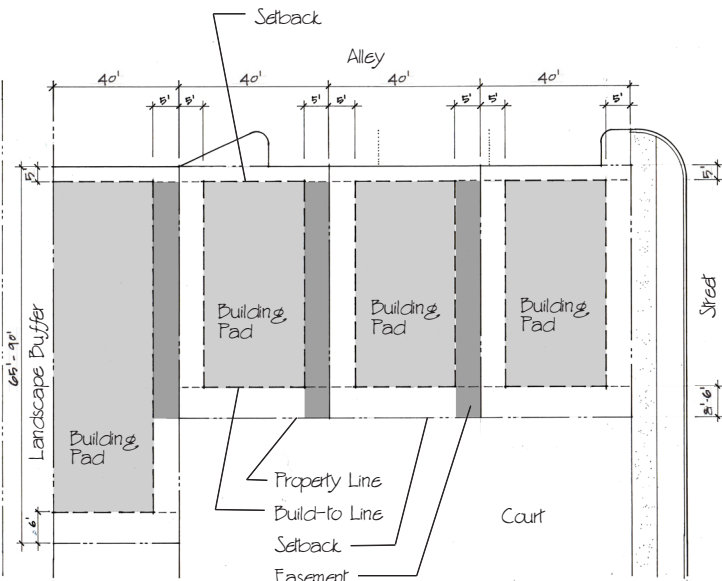
Fenestrations on building sides that face the private side yard of another building will be designed to maximize the privacy of the adjoining side yard. Light wells, transoms, and ventilation windows are acceptable.

Side yards will be enclosed with a 5' privacy fence, wall, or hedge. This privacy screen shall not extend beyond the Build-to Line.

Front Yards may be enclosed by a 3'-6" maximum fence, wall, or hedge.

Mechanical Yards shall be screened with a 5' fence, wall, or hedge.

Leader walks shall extend to the street curb and be appropriate to the building design.



Townhouse

Building Disposition

Setback (Distance from Property Line)

Front	10' (0" at Corner Lots)
Side	0'
Side Street	5'
Rear	5'
Outbuilding Front	24' From Rear Property Line
Outbuilding Rear	5'
Outbuilding Side	5'
Parking Pad Front	24' From Rear Property Line

Build-to Line (Distance from property Line)

Front	15' (5' at Corner Lots)
Side Street	5'

Encroachments

Front	5' Maximum
Side Street	5' Maximum
Side	0'
Rear	0'

Building Form

Building Mass	
Primary Frontage	100% minimum Built Along Build-to Line
Secondary Frontage	60% minimum Built Along Build-to Line
Distance between Buildings	10'

Height

Maximum Building Height	3 Stories
Ancillary Building	2 Stories
Ground Floor Above Grade	1'6" - 4'6"
First Floor Ceiling Heights	10' minimum**
Upper Floor Ceiling Heights	9' minimum**

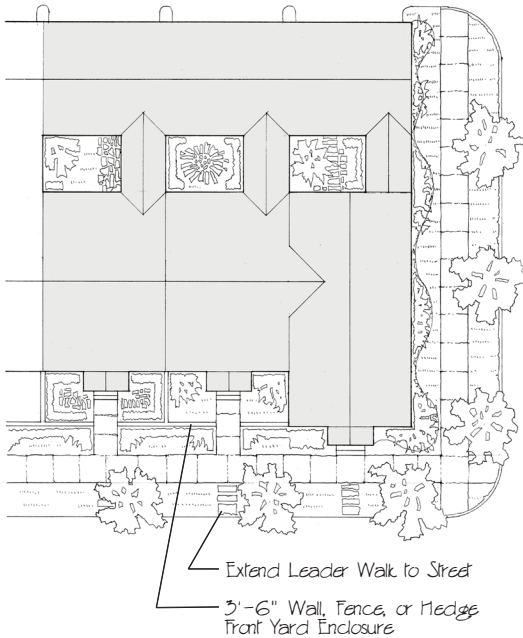
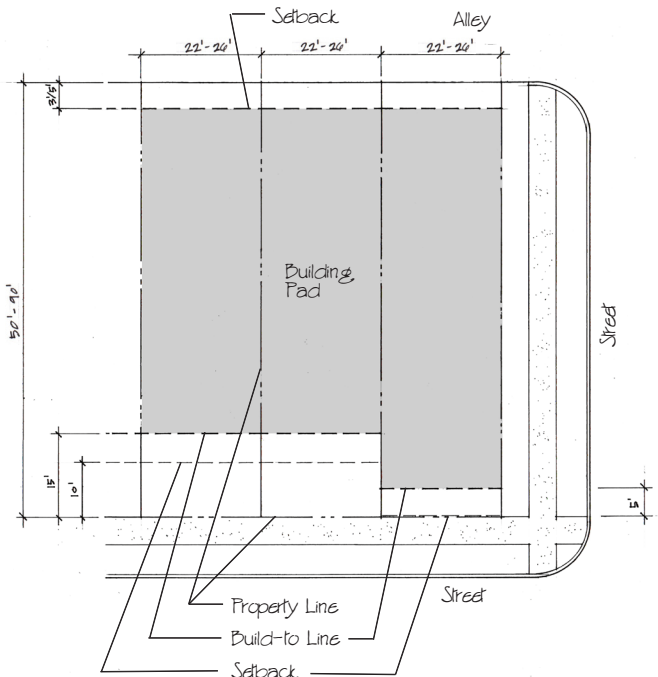
**Typical finished ceiling height not including coffers, finished Knee-wall attics, or other architectural building forms

Notes

Front Yards may be enclosed by a 3'-6" maximum fence, wall, or hedge.

Mechanical Yards shall be screened with a 5' fence, wall, or hedge.

Leader walks shall extend to the street curb and be appropriate to the building design.



Architecture



The purpose of this section of the Master Plan is to help establish a consistent architectural vision for the residential neighborhoods of Avemore. We have taken care to balance all of the complexities associated with contemporary development with the need to express an architectural point of view. The intent of these guidelines is to set Avemore above other developments in design quality and to establish an unmistakable sense of place that will sustain residents' pride in their community and keep drawing visitors to experience this unique place.

Places over Time

Avemore is envisioned as a place that is not frozen in a stylistic time period; rather the hope is that it will feel like a place that has been allowed to grow naturally over time. In this light, its architectural styles are varied and diverse, just as a real town would be after a hundred years of maturity.

This allowance for evolution is not to say that Avemore does not have standards. The guidelines reinforce local stylistic customs typical to the region across the full spectrum of time. House styles and materials common to the area are encouraged. Types that never existed in the area are not available as an option. Creativity is encouraged at all levels. Good, well-considered design is the bell-weather; but where the rules are meant to be explored or interpreted, the result should be an improvement not a blatant shortcut.

Design Quality and Practical Budgets

In all cases, the utmost care is taken to promote the highest design quality, regardless of cost. The position of these guidelines is that superior design quality can be achieved at any budget. But to do so, great care must be taken to design the buildings effectively, both aesthetically and cost-wise. Some styles and materials are more expensive than others, but these guidelines offer a range of solutions so that budgets of all levels can be met effectively.

A Job Well Done

These guidelines are offered as a resource to achieve an overall goal. They encourage the builder, the craftsman, the designer, the architect to rise to the challenge and help produce a meaningful community that will stand as a testament of our collective efforts for many years to come.



Looking East through a pocket Neighborhood

Classical Revival

Survey of Styles

Prominent from 1830 to 1860, the Classical Revival style appeared throughout the rapidly expanding nation, particularly in areas with sudden, large population growth, each region creating subsets of the style to complement its climate and natural materials. American architects trained abroad brought their classical training to the south resulting in Southern Colonial houses (though designed long after Colonialism had ended).

The Classical Revival house is characterized particularly by its classical detailing: classical columns with capitals and bases, decorative cornices used to trim gables, a porch as the entryway dressed with a transom and sidelights, elaborately paneled doors framed in wood or masonry, and recessed doors and windows. This style suggested opulence and social prominence.

The versatility of this higher-style design is evident in its use in urban and rural settings, both as narrow townhouses in Savannah and Terminus and as plantations throughout the south. Very common in the southern states, the Classical Revival style and its Greek Revival subset originated as a sign of power and economic stability, whereas a scaled-down version of the style represented a formal, higher-style design for middle-class residents.

Key Style Features

- Moderately-pitched roof
- Formal entry-door surround with transom and sidelights
- Classical detailing throughout, particularly on columns, pilasters, and cornices
- Limited, light-color palette
- Dark trim features



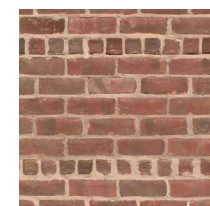
Streetscape



Lap Siding (Walls): In pre-Victorian styles, lap siding is almost always painted white. Exposure should be 4-1/2" to the weather. Corner boards and certain trim should be 5/4" material to receive the lap.

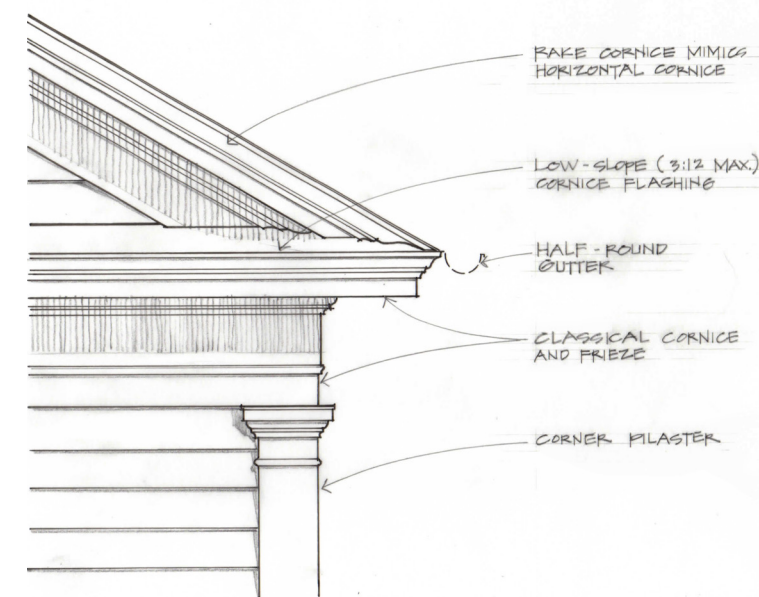


Stucco (Foundations and Chimneys): Traditionally, stucco is a surface treatment on masonry, and all details including perceived wall thickness at fenestrations should be expressed. Stucco should be carefully designed or avoided altogether on wood-framed walls to avoid inauthentic control joints.

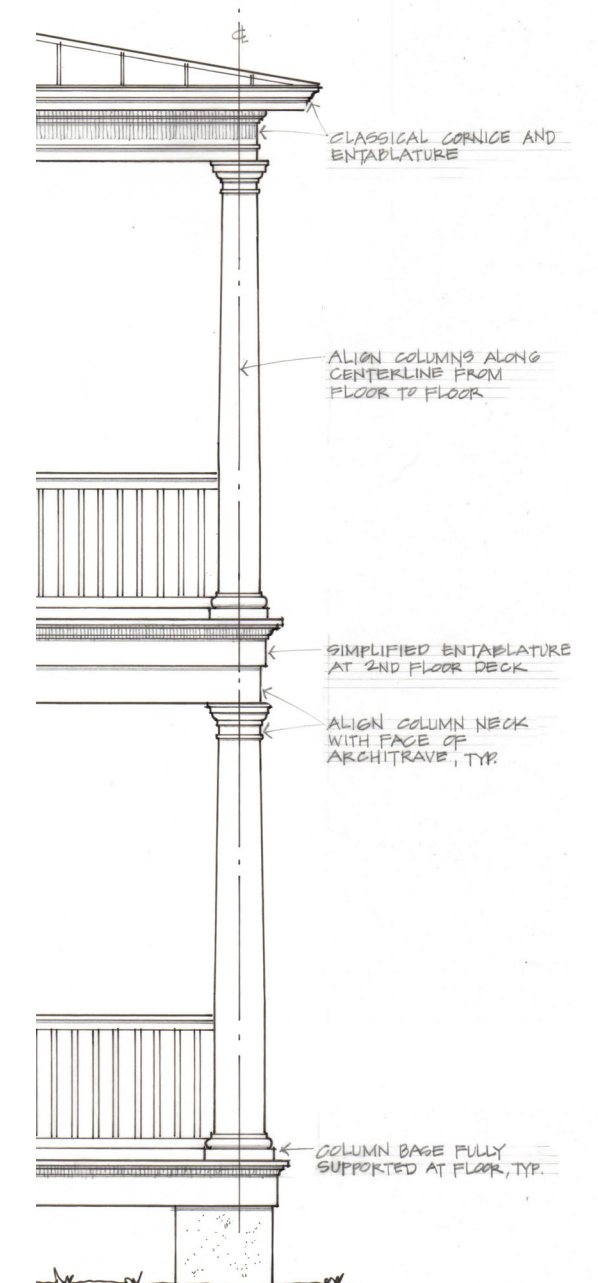


Brick (Foundations and Chimneys): Brick should be of running or common bond. In pre-Victorian styles, its color and type should reflect the bricks available locally. In Georgia, a gray-red, wood-molded brick was most common. Designer bricks and colors should be avoided.

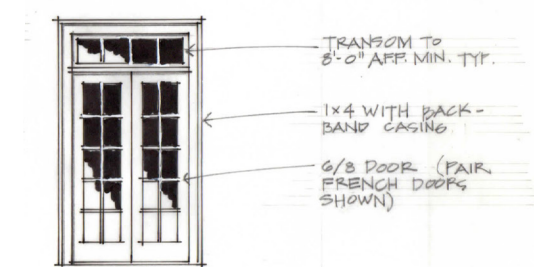
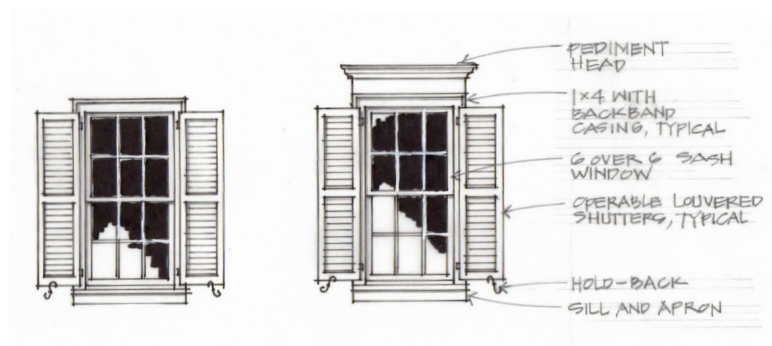
Typical Wall Materials



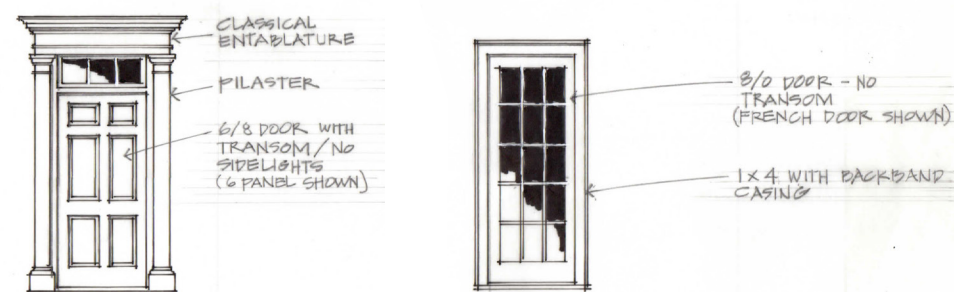
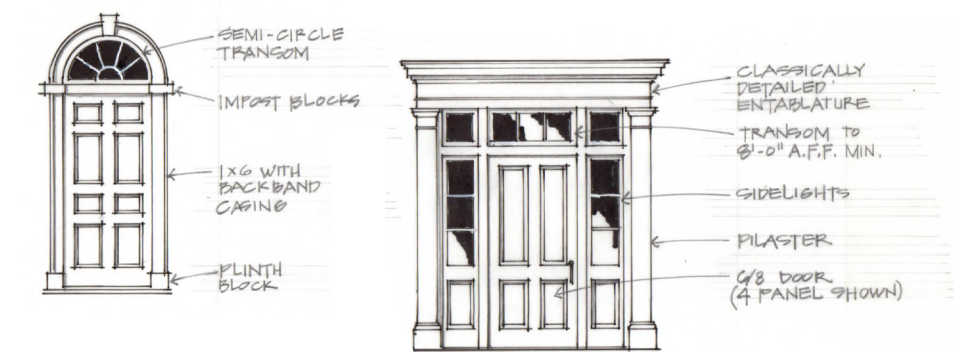
Cornice Detail



Porch Detail



Windows



Doors



Southern Vernacular

Survey of Styles

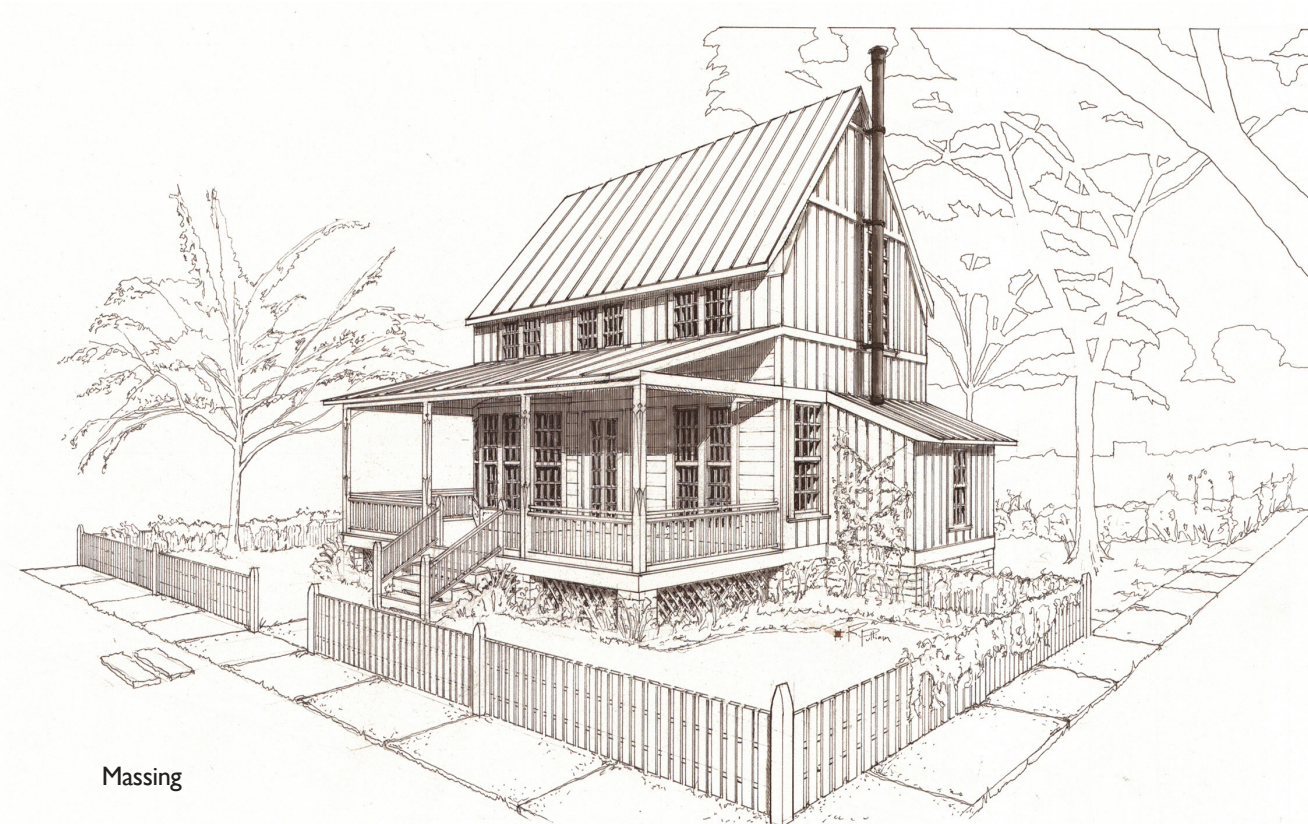
Vernacular Architecture is a general term to identify low-style, commonplace houses which exist across the country. Many subsets of vernacular architecture exist, their being distinguished by geographical region and sometimes the economic conditions of their inhabitants. One subset is the Southern Vernacular style, which can be distinguished into even further styles, including the Piedmont Plain and Victorian Vernacular.

Among the earliest styles in Georgia, Southern Vernacular exhibits quality craftsmanship, particularly since those who built the houses were often carpenters and builders who were following work. During the Industrial Period following the Civil War, the house style stayed largely the same with added elements, including porch posts and balustrades. Being southern, many of its features are influenced by climate, including the dog-trot through the middle of the house, the wide porch, and the shed added at the back.

Sophisticated versions of Southern Vernacular are more ornate. This Victorian Vernacular or Victorian Folk style is more decorative than the typical Southern Vernacular style, but it is not nearly as flamboyant as its Queen Anne cousin. Some differences distinguishing the Victorian Vernacular from the more typical Southern Vernacular include a wider range of colors, shingle-siding accents, more ornate shutters and doors, and more slender and often turned columns.

Key Style Features:

- Low-pitched, often a cat-slide roof
- Wide porches and overhangs
- Simplistic detailing
- Lap siding, usually painted white
- Simple shutters and doors, usually painted black, gray, or dark green
- Slender porch columns, often creatively chamfered



Massing



Streetscape



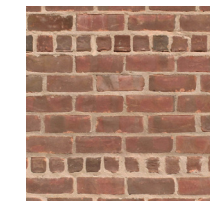
Lap Siding (Walls): In pre-Victorian styles, lap siding is almost always painted white. Exposure should be 4-1/2" to the weather. Corner boards and certain trim should be 5/4" material to receive the lap.



Board and Batten Siding (Walls): Board and batten is a traditional wall cladding method. Typically, the boards were up to 12" in width and the battens were 2". In pre-Victorian times, board and batten was almost universally painted white or tar-stained.



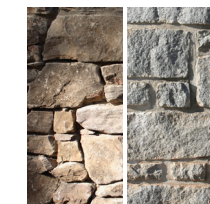
Stucco (Foundations and Chimneys): Traditionally, stucco is a surface treatment on masonry, and all details including perceived wall thickness at fenestrations should be expressed. Stucco should be carefully designed or avoided altogether on wood-framed walls to avoid inauthentic control



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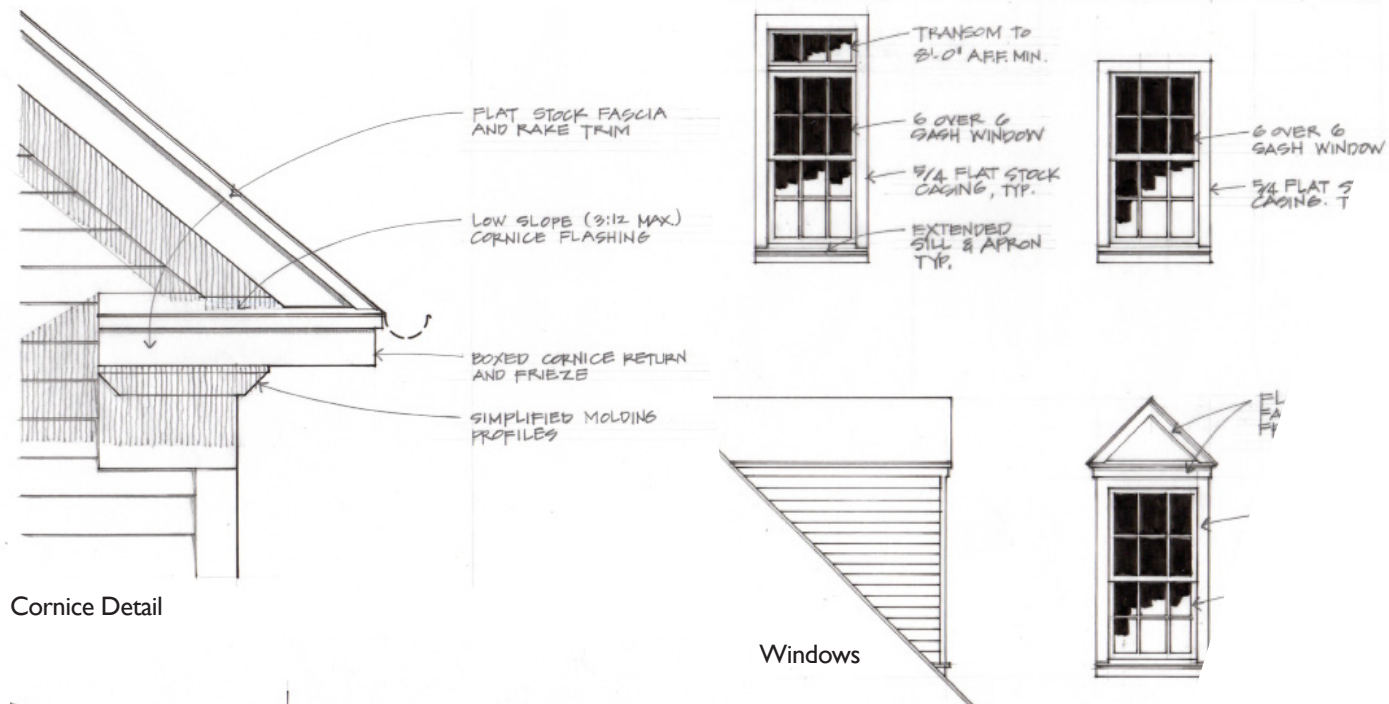


Board-formed Concrete (Foundations): Board-formed concrete has a utilitarian look characteristic of vernacular houses. Aggregate and sand content create an authentic expression.

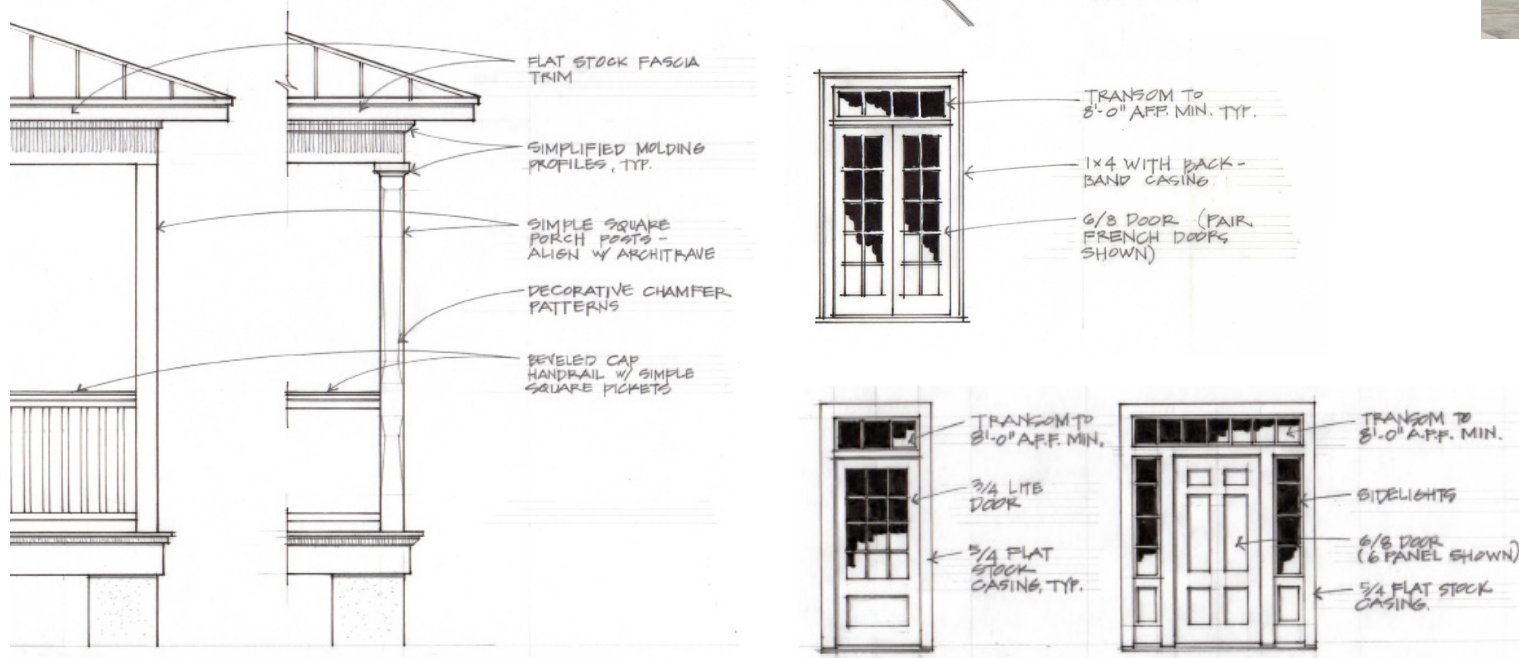


Stone (Foundations and Chimneys): Stone should be locally sourced and derive its character from local traditions. In Georgia, granite and field stone are used extensively. Avoid uncoursed rubble stacking.

Typical Wall Materials



Cornice Detail



Porch Detail

Doors



Craftsman

Survey of Styles

The Craftsman style was inspired by the Gustave Stickley bungalow designs from the early 1900s to the late-1910s. The style quickly spread nationwide, particularly due to its having been published as a pattern in his popular magazine *The Craftsman* from which the style gets its name. Stickley was influenced by the English Arts and Crafts movement and by Asian wooden architecture, combining those elements to create an overall simple design with intricate details. Its fade from popularity was as rapid as its rise, and by the 1930s few Craftsman houses were being built.

The Craftsman style is a simple, hip-roofed box-form with modern details that showcased the art of the builder and construction process. Its roof is typically gabled and low-pitched with overhanging eaves and exposed rafters and beams. With the house at one-story or one-and-a-half stories, the roof may be front-gabled, cross-gabled, or side-gabled. The porch sometimes stretches across the length of the house, and simple columns support the roof and porch and are often set onto pedestals that extend to the ground. Square upper columns often rest upon very large brick, stucco, or stone pillars.

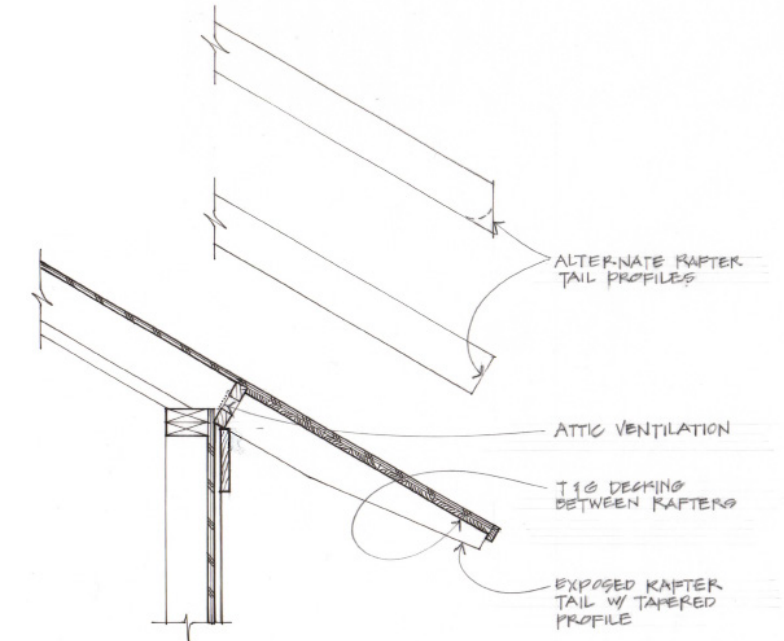
Siding for the Craftsman style is variable with lap-siding, board and batten, and shingles being common. As with the column pedestals, heavy materials such as stone, brick, and stucco are used to create impressive and significant chimneys and foundations. Windows are distinguished by transoms, large glass panes, and groupings of several windows across the façade.

Key Style Features

- One-story or story-and-a-half bungalow style with wide porches and overhangs
- Open rafter-tails
- Lap-siding and shingle-siding
- Large windows with creative muntin patterns



Massing



Rafter and Eave Details



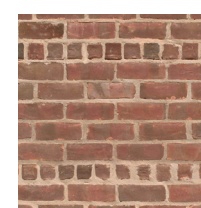
Lap Siding: Lap siding may be used and painted a wide variety of colors as approved, including dark shades. Exposure is often the traditional 4-1/2" but may be much wider as part of the building's overall expression. Flush boards are not uncommon. Corner boards and certain trim should be at 5/4".



Shingle Siding (Walls): Shingle siding is typically up to 7" exposure to the weather and can be stained or painted. Shingles may be used as accents along with other siding materials, typically lap siding. Shingles are a place for design creativity such as varied course patterns



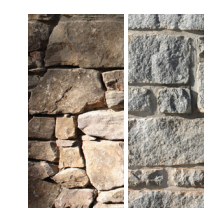
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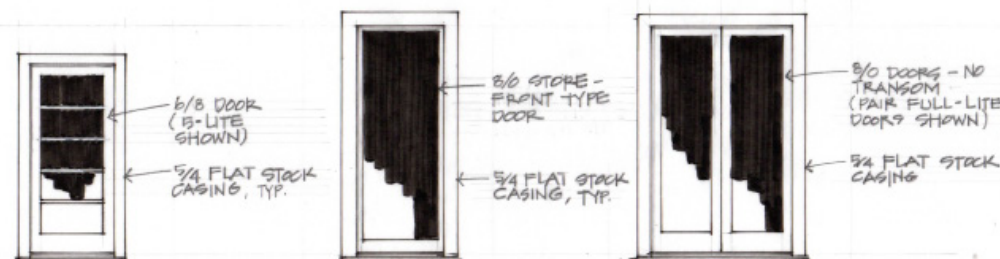
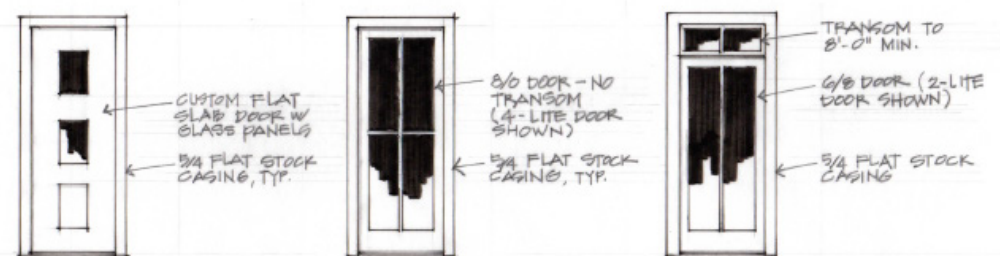


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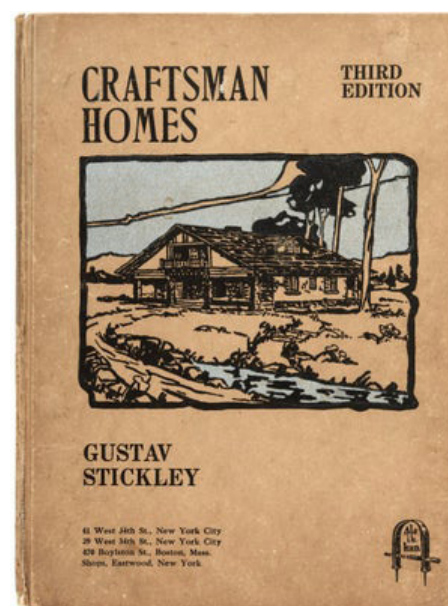
Typical Wall Materials



Windows



Doors



Commercial & Store Front Retail

Survey of Building Types

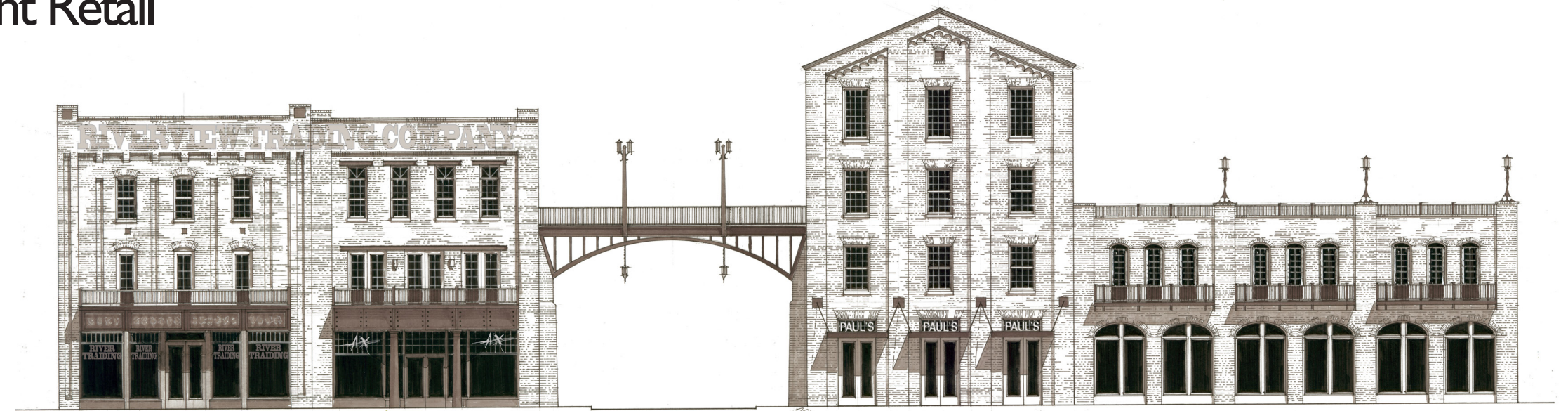
Though not an architectural style, we want to highlight the characteristics of the Vernacular Storefront as a building form important to Avemore. Like the descriptions of the architectural styles, this description of the Vernacular Storefront as a building form will convey what the retail and commercial buildings in Avemore should look like.

The earliest commercial buildings were two or three stories high and were designed to look like the surrounding houses with residentially-scaled windows and doors. Over time, stores became distinct from residences with large bay, small-paned windows for displays and wood or canvas awnings and signage. Advances in the manufacture of iron and large panes of glass contributed to the more familiar businesses of the mid-19th century. Doors became more recessed, leaving room for the large windows to be placed at the front for displays. Larger, more prominent signage was cut and placed on the fascia for people to see from a distance. Above the stores were walk-up offices or residences.

By the late 19th century, storefronts in the south added fixed metal canopies to provide shade so as to keep the building cooler year-round. Storefronts became more colorful and the use of specific typefaces became a popular way to distinguish one store from another.

Key Features

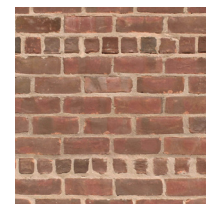
- Two- to three-story buildings
- Large windows for displays and decorative transoms
- Cast iron columns and lintels
- Recessed entryways
- Awnings and canopies
- Walk-up offices or residential on upper floors
- Signboard on the fascia above the storefront



Streetscape



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Typical Wall Materials

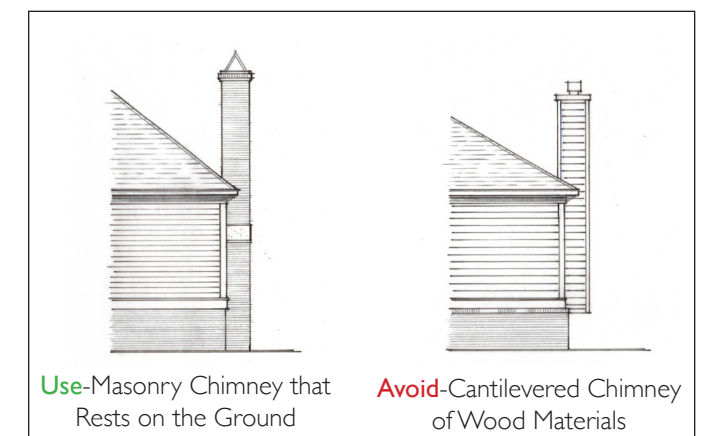
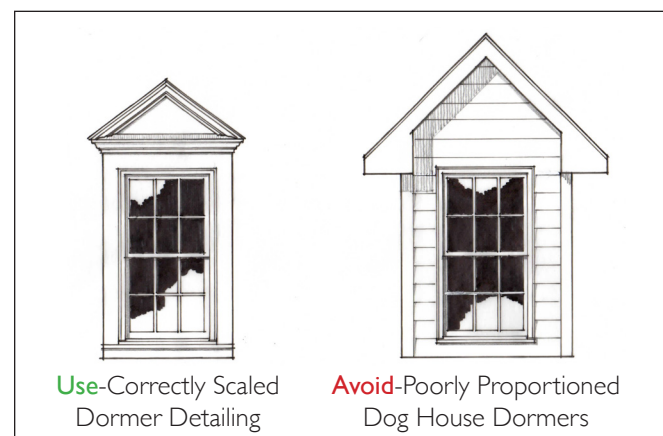
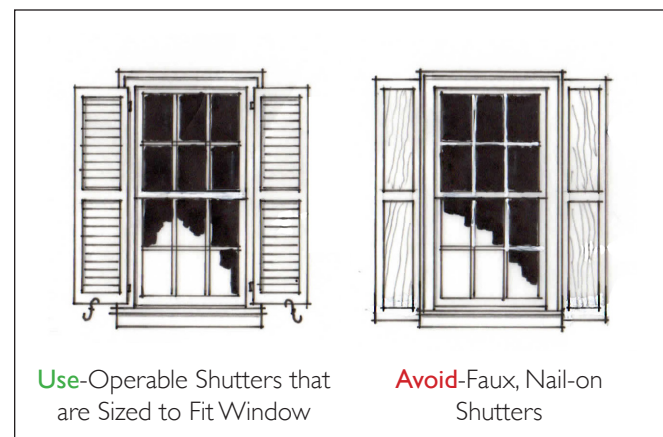
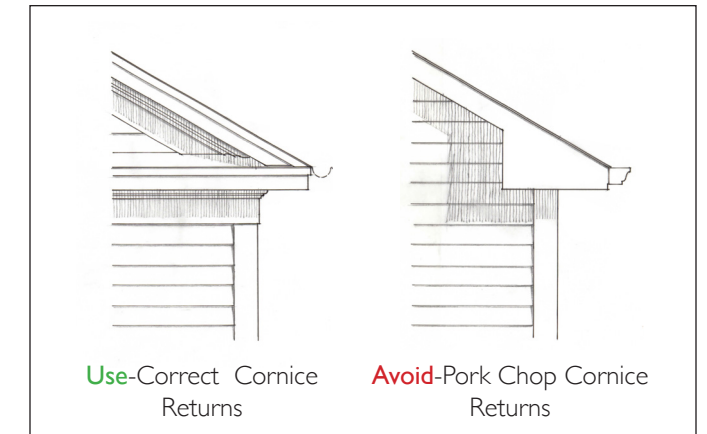
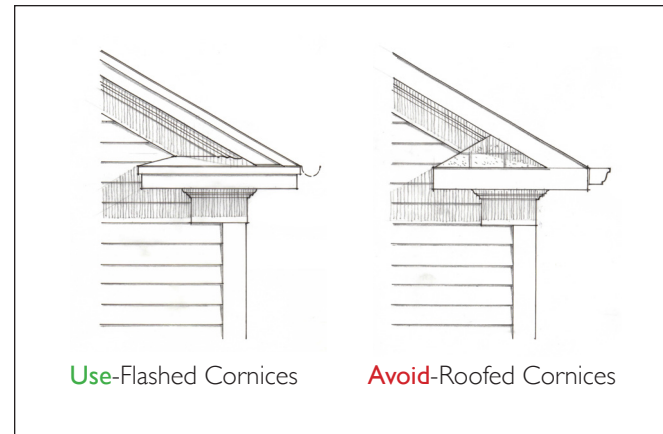


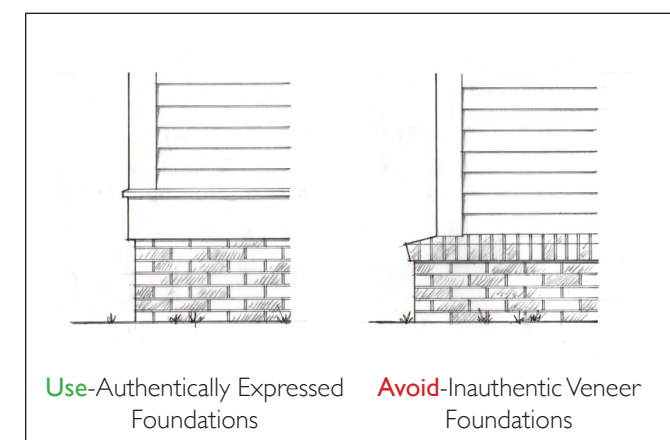
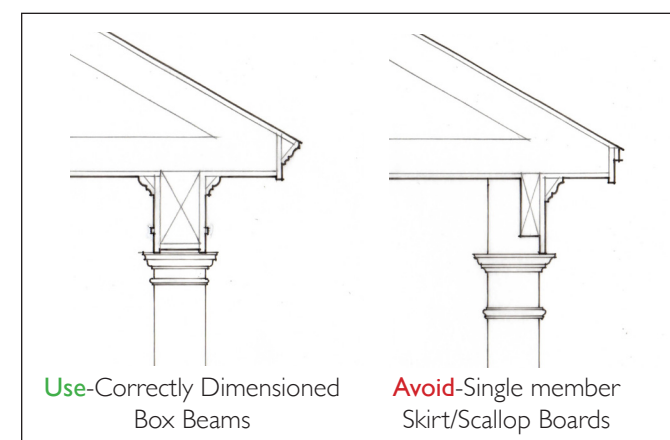
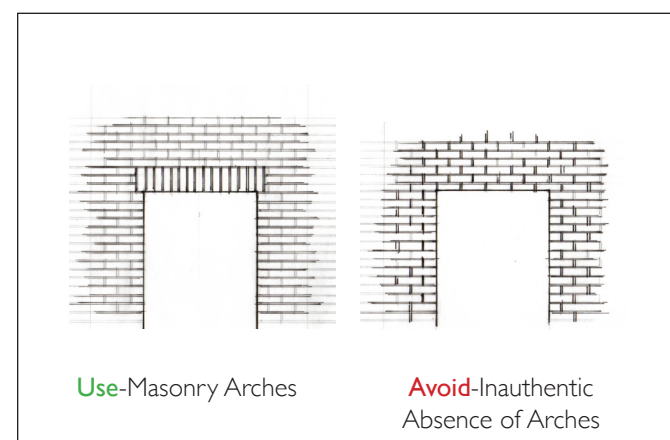
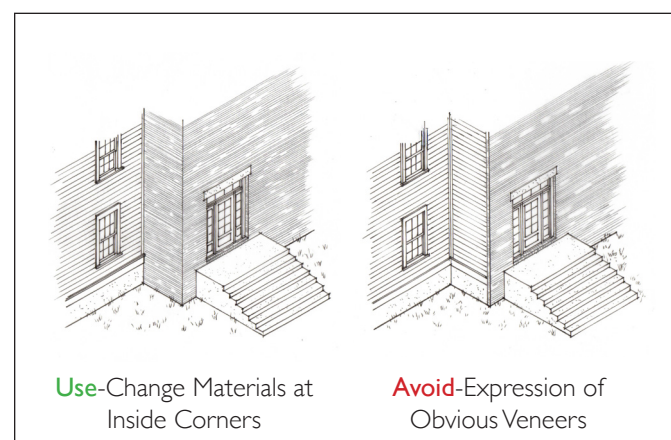
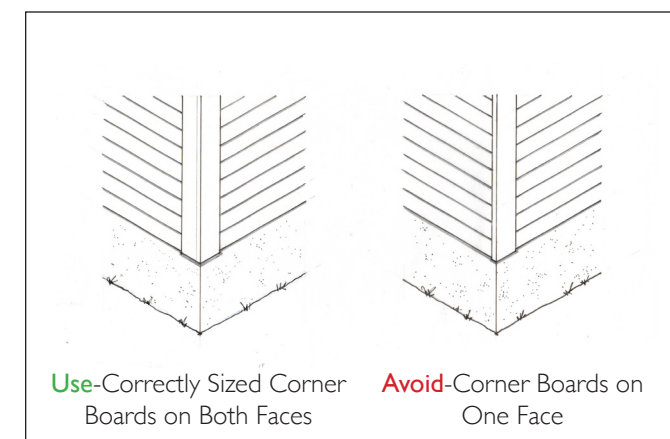
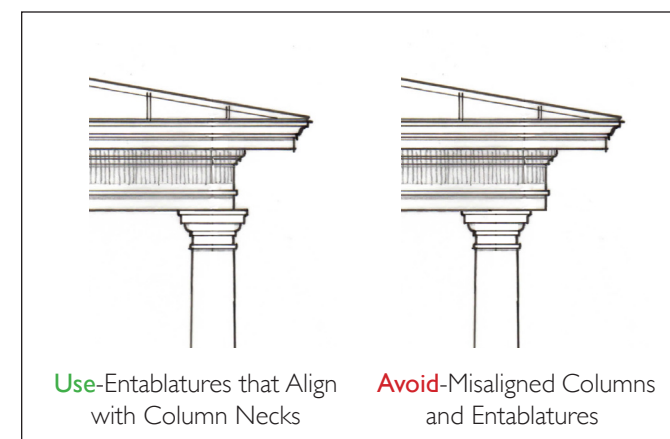
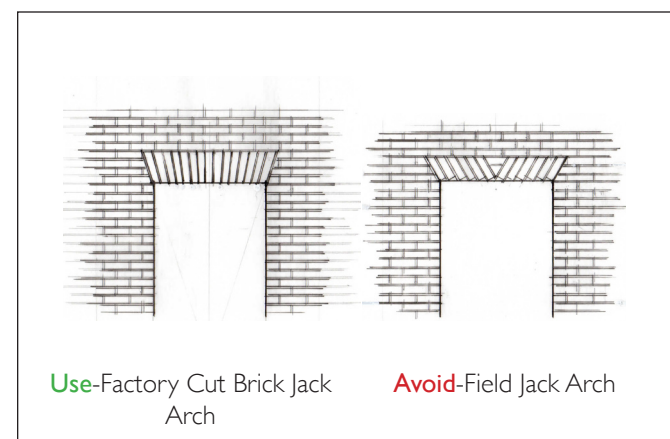
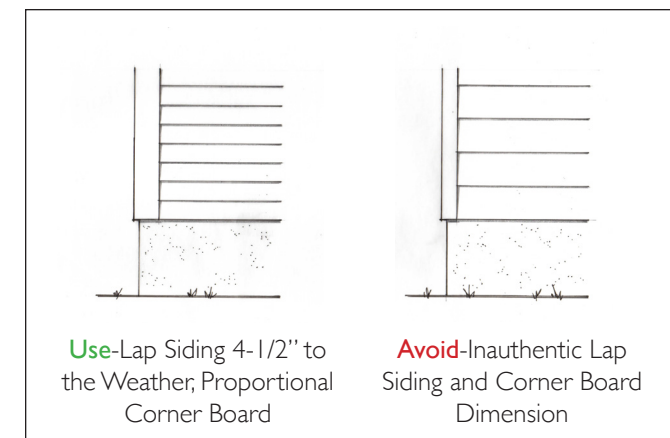
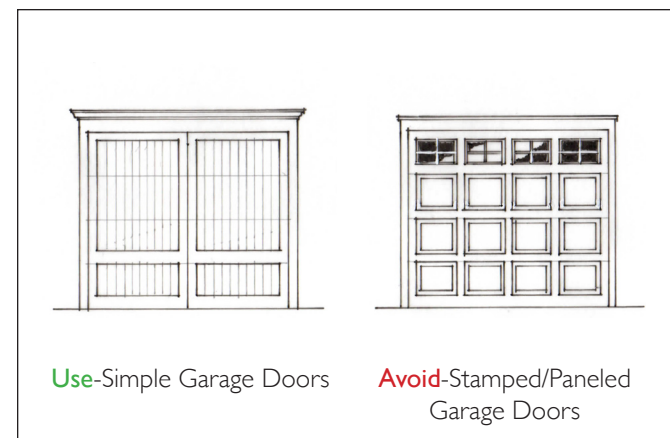
Streetscape



Best Practices

While there are countless subtleties of architectural detailing that can take a lifetime to master, the most common and glaring mistakes in details can be addressed quickly and easily with little to no impact on the project's budget. Illustrated here are the Best Practices of residential architectural detailing. These illustrations are by no means a comprehensive list, nor are their suggested solutions the only answer to common problems. Furthermore, different architectural styles address these conditions in their own well-considered manner. Shown here are solutions to common design mistakes that are easy to implement and offer a substantial improvement.





Architectural Criteria

The Architectural Criteria for the residential portion of Avenmore are listed below. The purpose of these criteria is to ensure the level of construction quality that the founders of Avenmore expect within their town. These standards also ensure that all members of the builders' guild are striving for the same level of quality. This expectation not only requires that all of the builders meet a minimum standard; it also provides a building environment where the work of each fellow builder helps to enhance the setting for his or her peers. Furthermore, residents who purchase homes early in the town's development can rest assured that the houses built in later phases meet their expectations of community construction quality.

Avenmore founders encourage a vibrant design and construction environment—an environment that encourages creative solutions to design goals. These criteria are not meant to limit such freedoms. They are, however, meant to promote a common baseline standard. Any solution that differs from these criteria but nonetheless is in the spirit of Avenmore's aesthetics and construction standards may be submitted for architectural review where it will be duly considered. In all cases, official building codes overrule these criteria. Each designer / builder is responsible for ensuring that his or her work meets current codes. Changes to an already approved design due to code enforcement must be resubmitted for Avenmore architectural approval.

Massing and Detail

Building massing is to be designed along historic and / or stylistic principals. In most cases, simplicity in massing is most authentic. "Builder" elevations, often associated with sprawl subdivisions, typically with multiple nested gables and complex massing, are strictly prohibited. All elevations are to be designed according to architectural standards as four-sided structures with each elevation treated with architectural and stylistic intention. Secondary elevations may have simplified detailing according to stylistic and historic standards.

Foundations

Foundations shall be constructed of poured-in-place **concrete slabs, raised slabs, concrete stem walls, or concrete masonry units**. Foundation walls must be faced with stucco, brick, tabby, or coquina stone except as noted below. For the purposes of Avenmore, other stone foundation expressions are only allowed with specific Avenmore Design Review Board approval.

Foundations may express a **board-formed concrete** finish, which may be left exposed if the concrete mix is composed of river washed aggregate and sand or executed in tabby.

Foundation walls with a **stucco** aesthetic are allowed. Stucco must be 3-coat minimum, integral color; applied on brick or concrete block. Stucco on wood framing is allowed with a metal lath underlayment, and control joints must be appropriate to the style.

Foundation walls with a **brick** aesthetic are allowed. Brick color; brick type, and mortar color must be selected from the Avenmore Color and Material Palette.

Natural **stone** is allowed. Synthetic **stone** is prohibited without specific Avenmore Design Review Board approval.

Lattice infill between masonry piers shall be wood or approved synthetic material.

If a **foundation** is articulated in a masonry veneer; the floor systems must cantilever over the masonry veneer such that the finish wall above is flush with the foundation

Wooden front porches must be constructed on masonry **piers**. Piers may be of varying sizes, but the typical sizes conform to horizontal brick coursing with 1'-4", 1'-8", and 2'-0" being the most common.

Finish Floor elevations must have a height above grade as dictated by the Neighborhood Code.

Walls		Doors and Windows		Porches and Balconies		
Materials	Walls expressing a wood aesthetic shall be clad in wood lap siding, wood board-and-batten, wood shingles, or wood panels. Approved cementitious materials may be substituted for natural wood products. Cementitious lap siding shall be equal to “Artisan” by James Hardie. An exposure of 4-1/2” to 5-1/4” is required for lap siding in traditional styles. Walls with a stucco aesthetic are allowed. Stucco must be 3-coat minimum, integral color; applied on brick or concrete block. Stucco on wood framing is allowed with a metal lath underlayment, and control joints must be appropriate to the style. Walls with a brick aesthetic are allowed. Brick color; brick type, and mortar color must be selected from the Avemore Color and Material Palette. Walls with a shingle aesthetic are allowed. Shingles must be of wood or cementitious materials and must be installed with a uniform bottom edge. Walls with a corrugated metal siding aesthetic are allowed. Corrugated metal siding must be galvanized or prefinished as allowable for certain architectural styles. Natural stone is allowed. Synthetic stone is prohibited without specific Avemore Design Review Board approval. Walls may express a board-formed concrete finish, which may be left exposed if the concrete mix is composed of river washed aggregate and sand or executed in tabby. Trim shall be constructed of wood, pvc, synthetic composite, or cementitious materials. Lattice shall be wood or approved synthetic material. Vinyl siding or aluminum siding, including those that mimic traditional profiles, are prohibited.		Exterior residential doors shall be hardwood, fir, or pine. Exterior fiberglass doors are allowable only as approved by the Avemore Design Review Board on a case-by-case basis. In any event, fiberglass doors must be painted; however, faux wood grain texturing is not acceptable. Plastic laminated, stamped metal, and leaded/beveled glass doors are not allowed. Stamped metal doors, glass paneled doors, false muntin detailing, and faux wood graining are prohibited on garage doors. Windows may be wood, clad wood, or fiberglass, and must be architecturally correct as determined by the Avemore Design Review Board. Materials must be paint grade or pre-finished. Vinyl windows are allowed only when the window design accurately reflects historic profiles or a well considered contemporary expression. The Avemore Design Review Board must approve all window specifications. In any event, vinyl windows that do not mount within the window frame in the manner of traditional detailing, or that have raised chamfered sashes that give the window an appearance of being surface mounted are prohibited. Storefront glazing systems are allowed in appropriate building styles. Such systems may be aluminum with pre-finished anodized or painted finishes.		Columns shall be built of materials that reflect the character of the style of the house. Columns expressing a wooden character must be wood, fiberglass, or resin material. Columns, or column bases, reflecting a masonry material must be brick, stone, or board-formed concrete. Steel shapes and stucco maybe used for contemporary styles. Columns made of foam componets are prohibited. Sheet metal columns are prohibited in traditional styles. The Avemore Design Review Board must approve all column manufacturers as part of the approval process. Porches are to be constructed of wood including wood decking. For traditional styles, porch framing shall be on piers (see foundations). Porches may be constructed of concrete in buildings with contemporary expressions. Stoops may be finished in materials appropriated to the foundation (see foundations). Porch ceilings should be rendered in bead board, flush boards, or tongue and grove boards. Plywood and exterior gypsum board ceilings are prohibited. Railing systems are to be painted wood, iron, steel, glass, or other materials appropriate to the style. Annodized or pre-finished aluminum railing components are allowable in contemporary building expressions. Square pickets are encouraged for most traditional styles. Tapered and round pickets are acceptable. Avoid over-detailed classical railings and pickets. Prefabricated railing systems either made of polymers or stamped metal are prohibited. Synthetic composition decking material is only allowed by specific approval of the Avemore Design Review Board.	
	Techniques	Wall fnishes and trim design are encouraged to be the same on all sides of a specific building mass. Secondary masses may be designed in a simpler expression than the main building mass. However, such expression must be appropriate to the style. When wall finishes differ, the transition must occur at inside corners or other logical locations that coordinate with the building’s massing.		Exterior doors and door trim must be designed as appropriate to the building style. They may be painted or stained. Custom fabricated front doors are strongly encouraged. Door hardware shall be appropriate to the style Windows must have true divided lites or simulated divided lites. Detachable muntins and grilles between glass are prohibited. Windows must be installed such that the sash sits within the wall framing. In stucco and brick facades, window frames and their casings should appear to be inset into the wall. Installation methodologies that require windows to attach to the front surface of the wall framing are prohibited. Windows and trim, including casings, muntins, and mullions, must be designed as appropriate to the building style. For traditional styles, vertical proportions for the windows, sashes and individual lites are required. Brick mold must not be used in non-brick cladding or stucco conditions. Ganged windows must have a continuous sill. Side and rear windows must compliment their elevations and given all due design consideration as the style requires. Windows on side elevations in zero-lot line conditions should be designed to protect the privacy of neighboring structures. Windowsills must be 1-1/4” deep. 2” deep sills are encouraged. Sills must slope to the weather and have drip edges. Picture framed window casings below the sill are prohibited. Sills shall project from the surface of the wall.		Porches and balconies are a critical part of a building’s architectural expression. Porches and Balconies should be considered essential rooms within the building’s program. Porch columns must be designed to the style of the building, classical columns, where used, must be architecturally correct, including entasis. Structural steel shapes may be used in appropriate styles. Railings must be appropriate to the style of the building. Traditional styles should have wood or iron rails with simple pickets and a top and bottom rail. Contemporary styles may have metal pipe, tension cable, or tempered glass panel railing systems. Front and side porches should be designed to the style of the building. 8’ deep porches are usually considered to be a minimum. 10’ deep porches are encouraged. Wooden front porches must be constructed on masonry piers. Piers may be of varying sizes, but the typical sizes conform to horizontal brick coursing with 1’-4”, 1’-8”, and 2’-0” being the most common.

Architectural Criteria

Continued

Roofs	
Materials	Wood shingles and wood shakes are encouraged. Historically appropriate asphalt shingles must be single-tab or three-tab. Asphalt shingles with a flat color and texture are encouraged for traditional styles. “Architectural” shingles are allowed by specific approval from the Avemore Design Review Board. Colors must be selected from the Mixson Palette. Standing-seam metal roofs are allowed but must be paint grip galvanized metal or copper. “Pre-finished” metal roofs and seamless prefab metal roofs are allowed as approved by the Avemore Design Review Board. Gutters shall be half-round metal and downspouts shall be round. Ogee gutters are not allowed.
Techniques	Roofs are not only one of the critical functions of a building, they are also an important component of the building expression. All roofs are to be considered in terms of the intended architectural style and designed accordingly. Roofs shall be simple gables or hips with symmetrical pitches about their ridges. Flat roofs are allowed in contemporary styles or styles reflecting a modern or historical industrial character. Roof slopes must be appropriate to the building style. Nested gables shall only be used when the smaller gable is part of a porch or balcony Roof penetrations and equipment shall be located in a manner that minimizes their visual impact. In all cases their color should match the surrounding roof. Metal Gutters must be half-round with round downspouts or custom designed to be appropriate to the style and must be made of copper or galvanized metal. Rooftop solar panels are allowed. Size and placement must be approved by the Avemore Design Review Board.

Trim, Millwork, and Shutters		Architectural Features	Sitework
Materials	All trim may be of wood, composite, cementitious, or synthetic solid stock materials. Non-wood materials should be of dimensioned material in standard wood profiles so that they may be worked as though wood. Extruded trim profiles are not allowed. Shutters may be constructed of wood or solid polymers. Vinyl shutters are prohibited. Pre-finished shutters are prohibited. Nailed-on shutters are prohibited	Dormers shall be constructed of the same materials as walls, windows, and roofs. Chimneys must appear to be made of materials that are non-flammable: masonry material, stucco, or metal flues. Siding or other materials that are, or appear to be, flammable are prohibited on chimney masses. Prefabricated chimney caps typically manufactured of stamped aluminum are prohibited. Window boxes shall be made of wood. Exterior light fixtures shall be approved before installation. The light spectrum of all exterior lights shall be incandescent or equivalent. Each house must provide a light fixture for alley lighting in conditions where an alley exists. The fixture is to be approved by the Avemore Design Review Board.	Fences shall be of wood construction Walls shall be of masonry construction and shall relate to the foundation material of the associated house. Walkways must be surfaced in decorative pavers, brick, stone, or decorative gravel that is contained and on a compacted base. Thick flagstone stepping stones are acceptable. Concrete walkways are acceptable if finished with appropriate surface treatments such as rock salt-finished concrete or exposed aggregate. Masonry banding and edging is acceptable. Drought tolerant plant materials are required for all private lots. The use of grass and grass sod lawns is to be limited on private lots, and the design, extent, and type of grass shall be approved by the Avemore Design Review Board.
	Trim and millwork is an important element within a building's architectural expression. A poorly detailed building is understood to be of low quality regardless of its expense. Expertise in millwork detailing and construction is a hallmark of well made buildings. Trim and millwork must be appropriate to the style of the building. Trim should be consistent throughout any given mass of a building. Secondary massing may have simplified trim as appropriate to the style, but in all cases, each building mass should receive an appropriate degree of trim based on the building's style. Molding design should reflect the style of the building. Common trim profiles may be used to compliment styles intended to have a degree of Sophistication. Flat stock and profiles cut down from flat stock should be used for vernacular styles. Corner boards, band boards, and skirt boards should be made of 5/4" materials to receive the profiles of lap siding. Door and window casing should be appropriate to the style and constructed of 5/4" materials. Picture framed window trim is not allowed. Shutters must be functional in nature. They must be operable, with the ability of closing completely over the window. Shutter design must be appropriate to the style of the building. All shutter specifications must be approved by the Avemore Design Review Board.	Dormers shall be habitable. In most traditional styles, dormer construction shall be such that the window casing is the entire face of the dormer: Wall cladding is not allowed on the front dormer face, only on the dormer sides. Chimneys are to be proportioned and detailed authentically according to the style. In most cases, Chimneys must contact the ground. Exceptions must be approved by the Avemore Design Review Board. Spark arresters must be specified and installed with care not to mar the aesthetic appearance of the building or appear to be out of style. Light fixtures should direct light downwards. Light fixtures must be appropriate to the architectural style. Landscape lighting is encouraged.	Fences, walls, and hedges are required on street frontages and must be appropriate to the style of house. Fences, walls, and hedges, as dictated by the Avemore Design Review Board, are required along the front property lines of certain Streets and other select sites. Fences, walls, and hedges should provide an enclosure. They should engage with building walls, other fences, hedges, or garden walls. Fences should provide an opening with a gate styled appropriately to the building. Trash and recycling areas shall be located in a permanent location enclosed by a fence, wall or hedge. HVAC Condensers and utility meters shall be likewise enclosed.



Submission Requirements

Pre-design Meeting

Before design work begins, the designer must meet with the Avenmore Design Review Board or its designated representative. This meeting will acquaint the designer with the overall design objectives of Avenmore and will serve as a review of all of the design and submission requirements. In addition, lot specific issues may be reviewed.

Conceptual Design Package

A conceptual design package shall be submitted to the Avemore Design Review Board. Conceptual Design Drawings must be submitted electronically and must print to scale on standard-sized paper:

- a. Site Plan at 1" = 20'
 - 1. Indicate property lines and all setbacks, built-to lines, and easements. Indicate significant spot grades.
 - 2. Show building footprints. Include building overhangs and fire separation distances.
 - 3. Show all site improvements including sidewalks, leader walks, driveways, walls, fences, important hedge locations, mechanical yards, and waste enclosures.
 - 4. Indicate all legacy trees.
- b. Floor Plans at 1/8" = 1'
- c. Critical Exterior Elevations at 1/8" = 1'

All drawings must have a submission date and lot number. They should be accurate, drawn to scale, and drawn as hard-line drawings either by hand or by CAD.

Final Approval Package

Construction drawings shall be submitted to the Avemore Design Review Board. They must be submitted electronically and must print to scale on standard-sized paper: Construction drawings submitted for final approval must be the same as those submitted to the local building authorities for review.

- a. Site Plan at 1/8" = 1'
- b. Floor Plans at 1/8" = 1'
- c. Exterior Elevations at 1/8" = 1'
- d. Exterior Wall Sections
- e. Trim Details
- f. Window and door casing details
- g. Additional significant details including columns, handrails, porch beams, gable vents, foundation vents, etc.

Additional information shall be submitted as part of the Final Approval Submission Package:

- a. Product identification and specifications for doors, windows, shutters, columns, railing systems, and pre-fabricated components.
- b. Samples of exterior colors and materials may be requested. Colors and materials must be approved prior to painting the exterior of the building or installation of material.



Builder Responsibilities

Grading, Site-Planning, and Utilities

- The builder shall ensure that no portion of the home (roof, porch, etc.) shall extend over the property line or into the public rights-of-way.
- Excess grading materials shall not prohibit access by adjacent land owners / builders. Excess grading materials at the end of construction shall be removed at the builder's expense.
- The grading of each lot shall be coordinated with adjacent builders in order to ensure an aesthetic and functional transition between lots.
- The builder is responsible for controlling storm water leaving the builder's lot. Care shall be provided to avoid excess water flow and erosion onto adjoining properties. Alleys are for vehicular access and are not designed as a storm water conveyance system.
- Exposed utility appurtenances shall be landscaped to minimize visual clutter to the public or community areas. Any unconnected utility stubs shall be properly terminated before or after the sale of the home to eliminate unsightly wires, pipes, and conduits left after construction.
- The builder is responsible for acquiring all temporary utilities that the builder needs during construction.

Roads and Alleys

- Damage to fronting roads and curbs shall be avoided and will be the responsibility of the builder to correct.
- Because the builder will be acquiring property in as-is condition, some damage to curbs and frontage road may have already occurred and will be the responsibility of the builder to repair.

Landscape and Hardscape

- The builder is responsible for protecting street trees during construction.
- The builder is responsible for completing a landscape plan (Tree Protection Plan).
- The current landscape plans are approved by the developer; any revisions must be approved by the developer.

Soil, Sedimentation, and Erosion Control

- Each lot shall be protected from soil and wind erosion during construction. The builder shall coordinate erosion control measures with all other builders and the developer in order to achieve maximum cost-effective benefits. A single contractor handling all silt fencing, repairs, and regularly scheduled clean-up employing best management practices is preferred and may be implemented by the developer and charged to the builder in the event the builder does not provide for adequate management.
- The builder is responsible for erosion control measures on the lot(s). Any silt, sand, or mud washed or tracked onto adjacent streets or property shall be the responsibility of the builder and shall be cleaned up by the builder immediately.

Building Standards

In addition to complying with the design code for Avemore, the builder should construct homes that meet or exceed the National Association of Home Builder's National Green Building Standard (NGBS). The NGBS mandates the following:

- energy-efficiency improvements such as a high-performance building envelope, efficient HVAC systems, high-performance windows, and energy-efficient appliances and lighting,
- water conservation measures such as water-efficient

- appliances and fixtures, filtration systems and drought-resistant or low-maintenance landscaping,
- resource conservation using materials and techniques such as engineered wood and wood alternatives, recycled building materials, sustainably harvested lumber, and more durable products,
- indoor environmental quality considerations such as effective HVAC equipment, formaldehyde-free finishes, low-allergen materials, and products with minimum off-gassing or low-volatile organic compounds (VOCs),
- site-design planning to minimizing disruption and preserve open spaces, and
- home owner education through manuals and operating guides.

Site and Street Clean-Up

Each builder is responsible for maintaining a clean job site at all times. Dumping concrete waste or other construction waste or materials is not permitted on any streets or lots not owned by the builder. Any materials staged in streets or on land not owned by the builder must be approved by the developer. The developer may fine the builder for any supplemental clean-up or removal required, including but not limited to the following:

- Street cleaning
- Trash pick-up on any areas within the development caused by the builder or a sub-contractor
- Materials, equipment, or vehicles blocking bike lanes or streets

Infrastructure Maintenance during Construction

- Construction materials and debris shall be contained with the builder's lot(s) and not in any of the streets, common areas, or adjacent lots not owned by the builder. Debris shall be cleaned from the lot(s) on each Friday. Any debris or materials found outside the limits of the lot(s) may be removed from the site by the developer at the builder's expense. The builder shall reimburse the developer within 15 days of receipt of any invoice for such expenses.
- Concrete truck wash-out / waste shall be contained within the builder's lot(s).
- Any damage to infrastructure improvement by the builder or the builder's contractors may be repaired by the developer at the builder's expense.
- The builder shall cooperate with the developer in the completion of any infrastructure work including alleys.
- During the builder's construction period, if site clean-up becomes an on-going problem, the builder shall be asked by the developer to provide two laborers to assist in a weekly clean-up effort.
- The developer may schedule a water truck and street sweeper to clean the streets on a regular basis. The builder shall contribute to the cost of the trucks, operators, and water usage on a pro rata basis.
- All above items will be enforced onsite by the developer.



Notes

A note on copyright:

All work in this presentation is copyrighted by Rhinehart Pulliam & Company. Any photographs not copyrighted by RP&Co are thought to be in the public domain.

Artists and designers make their livelihood on the intellectual work they produce. Any work worth using is worth buying. It is our belief that ongoing relationships with designers are the best way for all concerned to prosper. In terms of building design, designers gain a livelihood and can continue to produce; builders, developers, and homeowners gain an ongoing source of quality products that are free of legal entanglements. Please help us preserve an industry that can be successful for all involved.

A note on graphic design:

This presentation is set in Gill Sans which was designed by Eric Gill in 1926. Its originating application was on a sign that Gill painted on the fascia over a bookshop owned by Douglas Cleverdon in Bristol, England.

Gill designed the face as a response to the typeface Kabel (named for the transatlantic communications cable), which was designed in Germany and indicative of the technological modernity popular on the continent. Not to be outdone, the Monotype Corporation published the fully-developed Gill San typeface in 1928.

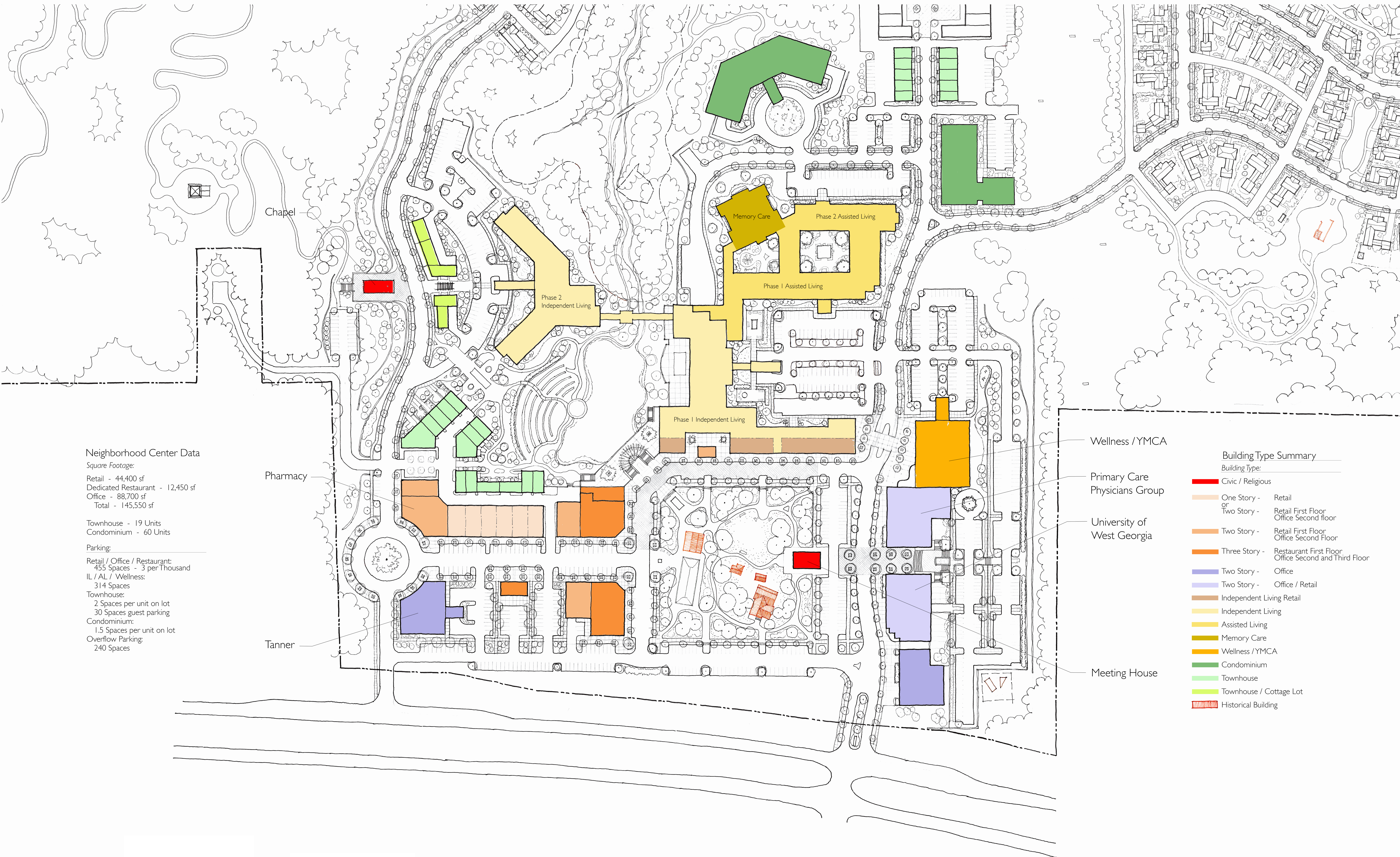
The design was later picked up by the London and North Railroad and used extensively in its publications and signage for many decades. Eventually, British Railways adopted the face nationwide. Although British Rail discontinued its use in 1965, it retains its long-time association with rail signage and publications. It is currently the official face of the British government and the BBC, although the BBC has moved away from using it comprehensively in recent years. It also serves as the typeface for the Church of England in their common Worship service books. Gill Sans was the fifth most popular-selling typeface for the Monotype Corporation in the 20th Century.

Eric Gill was an accomplished sculptor and graphic artist and was trained as an architect. We use his typeface here to honor its intimate connection with building signage, from its first application on a bookstore to its use on structures today.



Rhinehart Pulliam & Company
LLC

770.713.3239 / 404.308.0439



Neighborhood Center Data

Square Footage:

Retail - 44,400 sf
Dedicated Restaurant - 12,450 sf
Office - 88,700 sf
Total - 145,550 sf

Townhouse - 19 Units
Condominium - 60 Units

Parking:

Retail / Office / Restaurant:
455 Spaces - 3 per Thousand
IL / AL / Wellness:
314 Spaces

Townhouse:

2 Spaces per unit on lot
30 Spaces guest parking

Condominium:

1.5 Spaces per unit on lot

Overflow Parking:

240 Spaces

Building Type Summary

Building Type:

- Civic / Religious
- One Story - Retail
or
Two Story - Retail First Floor
Office Second floor
- Two Story - Retail First Floor
Office Second Floor
- Three Story - Restaurant First Floor,
Office Second and Third Floor
- Two Story - Office
- Two Story - Office / Retail
- Independent Living Retail
- Independent Living
- Assisted Living
- Memory Care
- Wellness / YMCA
- Condominium
- Townhouse
- Townhouse / Cottage Lot
- Historical Building



CITY OF VILLA RICA

City Council Packet

SUBJECT: Pouring License Restaurant for Luther's LLC

CITY COUNCIL AGENDA DATE: August 27, 2019

DATE: August 16, 2019

PREPARED BY: Nyree Simpson, Licensing and Permitting Specialist

FISCAL IMPACT: None

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: To allow applicant to serve alcoholic beverages at Brothers Bar & Steakhouse LLC
901 S. Carroll Road, Villa Rica, GA 30180

BACKGROUND: The applicant has complied with the Ordinance with regard to the legal notification requirements, and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location zoning restrictions that would hinder the issuance of the license. The applicant was previously approved to serve alcoholic beverages within the establishment. However, the business has undergone reconstruction and therefore requires new approval.

STAFF RECOMMENDATION: Approval

IMPACT: None

MOTION: I make a motion to approve the alcoholic beverage application for Luther's LLC located at 901 S. Carroll Road, Villa Rica, GA 30180.



Public Hearing Date

City Council: August 27, 2019

Request: Pouring License Restaurant for Brothers Bar & Steakhouse LLC

Project Description: Wine, Malt Beverages, and Distilled Spirits Pouring License for Brothers Bar & Steakhouse LLC

Applicant: Brothers Bar & Steakhouse LLC
Licensee: Paul Anderson
214 Sunny Lane, Villa Rica, GA 30180

Location: 901 S. Carroll Road, Land Lot 131, 6th District, Carroll County; Ward 2

Parcel Number(s): V07 0100171

Current Zoning: GC (Commercial)

Current Land Use: Restaurant

Location and Zoning Requirements:

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

Sec. 3-46. Zoning Restriction

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

The subject property is zoned GC (General Commercial).

Sec. 4-70. Proximity Restrictions:

No premises shall be licensed under this chapter whose location is within the following distances:

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

Compliance: Yes

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

Compliance: Yes

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

Compliance: Yes

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

Compliance: Yes

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

Compliance: Yes

Sec. 4-29 Investigation; Hearing:

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

Staff Comments:

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

Recommendation:

Planning Staff recommends **Approval** of the request by Brothers Bar & Steakhouse LLC, Paul Anderson for Wine, Malt Beverages and Distilled Spirits Pouring License at 901 S. Carroll Road.

Public Response:

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

Bobby C. Elliott, P.E.
Director of Community Development

Attachments:

1. Application
2. Public Notice of Sworn Statement
3. Affidavit of Publication
4. Commercial Lease

City of Villa Rica

571 West Bankhead Highway
Villa Rica, Georgia 30180
Telephone: 678.840.1224 Fax: 770.459.7003

2019

OCCUPATIONAL TAX PERMIT

License No: 729191

Name of Business: **Brothers Bar & Steakhouse LLC**

DBA:

Owner Name: **Paul Anderson**

Location: **901 S. Carroll Road
Villa Rica GA 30180**

In consideration of the fee paid, the City of Villa Rica has granted a license for carrying on the following type(s) of business:

Full Service Restaurant

This license must be displayed in a conspicuous place in your business establishment. City Hall must be notified of any change of address. This license is non-transferable and is subject to revocation if abused.

This permit expires on December 31, 2019



City of Villa Rica
Community Development Department
Licensing Division



CITY OF VILLA RICA
ALCOHOL LICENSE APPLICATION

INSTRUCTIONS: Every question must be answered fully and correctly. If the space provided is not sufficient, answer the question on a separate sheet and indicate in that space that a separate sheet is attached. When completed, it must be dated, signed and verified under oath by the applicant and filed in person by the applicant with the **Office of the City Manager, Villa Rica City Hall, 571 W. Bankhead Highway, Villa Rica, Georgia 30180**, together with all supporting documentation and a check for the required non-refundable application fee.

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

NON-REFUNDABLE APPLICATION FEE

Package Beer	\$100	Pouring Restaurant - All	\$100	Pouring Supper Club	\$500
Package Wine	\$100	Pouring Beer & Wine	\$100	Supper Club Wine & Beer	\$500
Wine Tasting	\$100	Wholesale Dealer	\$500	Alcohol Catering	\$100
Growler	\$100	Wine & Craft Beer Boutique	\$100	Special Event	\$100

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

- ☐ Retail Package Malt Beverages & Wine - \$300
- ☐ Retail Package Malt Beverage - \$200
- ☒ Pouring License Restaurant - \$3,500
- ☐ Pouring License Supper Club - \$5,000
- ☐ Pouring License Private Club - \$3,500
- ☐ Growler License (in conjunction with Retail Package Malt Beverage License) - \$200
- ☐ Retail Package Wine - \$100
- ☐ Limited Pouring License Restaurant - \$500
- ☐ Limited Pouring License Supper Club - \$3,000
- ☐ Limited Pouring License Private Club - \$500
- ☐ Alcohol Catering (in conjunction with Limited Pouring License - Restaurant) - \$500
- ☐ Wine Tasting (in conjunction with Retail Package Wine License) - \$100
- ☐ Wine & Craft Beer Boutique - \$500

TYPE OF OUTLET

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

PART I

I. Type of Ownership

- ☒ Individual ☐ Partnership ☐ Corporation

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

Full Name: Paul Anderson Address: 214 Sunny Ln Villa Rica

(B) If corporation/partnership, give corporate/partnership name: _____
Federal Tax ID: _____

Name, percent interest and legal address of principle stockholders and corporate officers or partners:

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

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

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

Full Name	Address	% Interest
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Describe the principle business of the corporation/partnership:

Full name, legal residence, and social security number of the named licensee (a) Individual (b) Principal Officer/Employer (c) Partner, each partner must be a named licensee:

Paul Anderson	214 Sunny Ln. Villa Rica
Full Name	Address

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

3. Trade name of business for which application is made: Brothers Bar + Steakhouse LLC

4. Address of business for which application is made: 901 S Carroll Rd. Villa Rica,

Phone Number: 678-670-6416

Business	Home
----------	------

Mailing Address: 901 S. Carroll Rd Suite C villa Rica,

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

*** PART II ***

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

on Saturday nights, and just a couple
of singers, not big enough for a full band

2. Have you received a copy of the City of Villa Rica Alcoholic Beverage Ordinance? ☒ Yes ☐ No
No application will be processed until receipt of a copy of this ordinance is acknowledged.
3. Have you included with this application a check for the non-refundable application fee required by Chapter 3 of the Alcohol Beverage Ordinance of the City of Villa Rica? ☒ Yes ☐ No
4. As required by Chapter 4 of the Alcoholic Beverage Ordinance of the City of Villa Rica, have you included the following with this application? Please check the applicable answer(s).
- (a) A copy of the deed to the premises to be licensed, if owned by applicant. ☒
 - (b) A copy of the lease agreement covering the premises to be licensed, if leased by the applicant. ☒
 - (c) In the case of a partnership, a copy of the partnership agreement. ☐
 - (d) In the case of a corporation, a copy of the articles of incorporation. ☐
 - (e) A current stamped certificate from a registered surveyor which shows a scale drawing of the premises and the location at which the applicant desires to operate an alcoholic beverage outlet and which shows, with linear foot measurements where appropriate, such location's compliance or noncompliance with the provisions of Chapter 3 of the Alcoholic Beverage Ordinance of the City of Villa Rica. ☐
5. Have you confirmed with the City of Villa Rica Community Development Department that the location of the proposed outlet is in a zoning district approved for the sale of alcoholic beverages subject to the specific limitations of the respective district as provided for in Chapter 3 of the Alcoholic Beverage Ordinance of the City of Villa Rica?
☒ Yes ☐ No
- WA 6. If applicable, have you received approval from the City of Villa Rica Building Official for any new construction, renovations, remodeling, etc. at the premises to be licensed? ☐ Yes ☐ No
- WA 7. If applicable, have you received an approved site plan from the City of Villa Rica for the location of the premises to be licensed? ☐ Yes ☐ No
8. If applicable, have you received a Carroll/Douglas County Health Department Food Service Permit and any other applicable local, state, or federal permits, etc. required for a food service establishment?
☒ Yes ☐ No
No pouring license application will receive final approval until the necessary permits are secured.

9. Do you comply with the requirements of Regulation 560-2-2-.38 below? ☒ Yes ☐ No

Neither a retail dealer or retail consumption dealer, whether licensed in this State or not, nor any of his employees or members of such retail dealers or retail consumption dealer's immediate family shall have, own, or enjoy any ownership interest in, or partnership arrangement or other business association with the business of any wholesaler, manufacturer, producer, shipper, importer or broker.

10. Has the named licensee and all other persons otherwise required, submitted themselves to the City of Villa Rica Police Department for fingerprinting and background check(s) as provided for in Chapter 3 of the Alcoholic Beverage Ordinance of the City of Villa Rica? ☒ Yes ☐ No

11. Has the named licensee, any partner(s), the corporation, or any corporate officer been:

(a) Convicted within the last ten (10) years of any felony or any misdemeanor involving moral turpitude?

☐ Yes ☒ No

(b) Any other misdemeanor within the past five (5) years? ☐ Yes ☒ No

(c) Denied or had revoked, within the past five (5) years, any license to sell alcoholic beverages issued by any government entity? ☐ Yes ☒ No

(d) Been convicted of selling alcohol to a minor within the past three (3) years? ☐ Yes ☒ No

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

12. Has any alcoholic beverage business in which the named licensee, partner(s), the corporation, or corporate officers holds or has held any financial interest, or are employed, or have been employed, ever been cited for any violation of the rules and regulations of the State Revenue Commissioner or any local ordinance/legislation relating to the sale or distribution of alcoholic beverage? ☐ Yes ☒ No

If yes, describe in detail and give dates:

13. On behalf of the named licensee, provide three (3) personal references (not relatives, former employers, fellow employees or school teachers) who are responsible, reputable adults, business or professional men or women, who have known the named licensee during the past five (5) years.

Include name, residence, business address, and number of years known.

William Mayberry - 155 James St Temple Ga 30179
(Curtain Services) 20 yrs. +

Jerry Driver (JAD Builders) 473 N. Hulett Rd.
Villa Rica. 12 yrs.

Danny Camp 216 Sunny Ln. Villa Rica

14. Is the named licensee a citizen of the U.S.? ☒ Yes ☐ No

Decatur

Place of Birth

12-17-1975

Date of Birth

* PART III *

VERIFICATION

State of Georgia, Carroll County

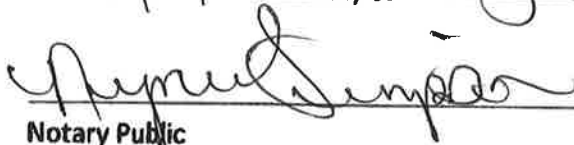
I, Paul Anderson, licensee, do solemnly swear subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application are true, and no false or fraudulent statement or answer is made herein to procure the granting of such license.



Applicants Signature (FULL NAME IN INK)

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

This 12th day of August 2019



Notary Public

My Commission Expires: December 3, 2021

(Seal)



AFFP

8-tg-43451-Alcohol Lic

Affidavit of Publication

STATE OF GEORGIA }
COUNTY OF CARROLL } SS

Rachael Raney, being duly sworn, says:

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

August 07, 2019

8-tg-43451-Alcohol Lic

Paul Anderson has filed an application to sell alcoholic beverages on the premises of 901 S. Carroll Rd., Suite C, Villa Rica, GA 30180, as a Restaurant. A public hearing on the application will be held on Tuesday the 27th day of August, 2019 at 6:00 p.m. at the Holt-Bishop Justice Center, Municipal Court Room, 101 Main Street, Villa Rica, Georgia. For additional information on this application, contact the community Development Department at 678-785-1022.

Tunya Johnson

NOTARY PUBLIC

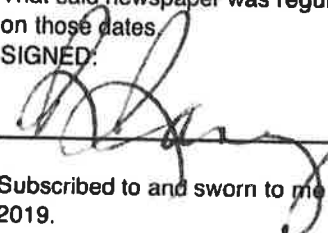
Carroll County, GEORGIA

My Commission Expires 08/12/2022

Publisher's Fee: \$ 20.00

That said newspaper was regularly issued and circulated on those dates

SIGNED:


Subscribed to and sworn to me this 7th day of August 2019.


Notary Public, Carroll County, Georgia

40092960 40343451

Paul Anderson
901 S Carroll Rd Ste C
Villa Rica, GA 30180

STATE OF GEORGIA)
CARROLL COUNTY)

LEASE

THIS AGREEMENT, Made this 28th day of MAY 2019 by and between VILLA RICA MARKETPLACE LLC, as Landlord, and CHRISTIE and PAUL ANDERSON , doing business as BROTHER'S ROADHOUSE, as Tenant.

WITNESSETH: that the said Landlord does hereby demise and lease to Tenant and Tenant does hereby hire from Landlord the following described premises:

901 S CARROLL ROAD,
VILLA RICA, GA, 30180.

SUITE D for approximately 1,400 sq ft
SUITE C-1 for approximately 800 sq ft
SUITE H for approximately 1,000 sq ft.

FOR a TOTAL of APPROX 3,200 square feet.

together with all appurtenances thereto and with easements of ingress and egress necessary and adequate for the conduct of Tenant's Business as hereinafter described, for a term beginning 1st JUNE 2019 therein for a term of FIVE years or 60 months ending on MAY 31st 2024.

AMOUNT OF RENTAL, OPTIONS TO RENEW

Tenant covenants to pay to Landlord the sum of :-

JUNE 1 2019 to MAY 31st 2020 = \$2,200.00 per month = \$26,400 per year

JUNE 1 2020 to MAY 31st 2021 = \$2,200.00 per month = \$26,400 per year

JUNE 1 2021 to MAY 31st 2022 = \$2,300.00 per month = \$27,600 per year

JUNE 1 2022 to MAY 31st 2023 = \$2,400.00 per month = \$28,800 per year

JUNE 1 2023 to MAY 31st 2024 = \$2,500.00 per month = \$30,000 per year

payable in advance on the first day of each month at the offices of the Landlord at:-

6760 RIVER SPRINGS CT,
SANDY SPRINGS, GA. 30328 or at other such place that Landlord shall designate.

Handwritten initials and signatures, including a circled 'PA' and several other marks.

LANDLORD Agrees to give Tenant a THREE YEAR Option to Renew the lease at the expiry of this Lease with terms of the Lease to be discussed within 90 days of lease expiry.

In addition to the above, Landlord and Tenant mutually covenant and agree as follows:

TENANT'S MAINTENANCE AND REPAIR OF PREMISES

1. Except as hereinafter provided, Tenant shall maintain and keep the interior of the premises in good repair, free of refuse and rubbish and shall return the same at the expiration or termination of this lease in as good a condition as received by Tenant, ordinary wear and tear, damage or destruction by fire, flood, storm, civil commotion or other unavoidable cause excepted. All maintenance including but not limited to heating, air conditioning systems, electrical wiring, plumbing, etc., shall be the responsibility of Tenant, except that Landlord shall be responsible for replacing MAJOR components of the HVAC system (i.e. fan motor, coil, compressor) so long as Tenant maintains and performs routine maintenance on the HVAC system. Should it be determined that MAJOR components of the HVAC system have failed because of Tenant's neglect or misuse, then Tenant shall be entirely responsible for repair or replacement. Tenant's obligation to maintain system herein described shall be predicated upon said system being in good condition and satisfactory working order at the time Tenant takes possession of the premises. Landlord shall be responsible for the structure of the building and the roof.

TAXES

2. Landlord shall pay all taxes, assessments, and charges which shall be assessed and levied upon the leased premises or any part thereof during the said term as they shall become due.

PROPERTY / HAZARD INSURANCE

3. Landlord shall pay for all hazard insurance for the structure of the building. Tenant shall, at Tenant's sole expense, insure the contents of Tenant's unit.

TENANT'S LIABILITY INSURANCE

4. During the term of this lease, Tenant at his own expense shall carry public liability insurance in not less than the following limits, and shall name landlord as additional insured:

Handwritten initials "AS" inside a circle, followed by a signature "GA" and a date "12/27".

Bodily Injury \$1,000,000 / Property Damage \$1,000,000

**TENANT'S ALTERATIONS, ADDITIONS,
INSTALLATIONS, AND REMOVAL THEREOF**

5. Tenant may, at its own expense, either at the commencement of or during the term of this lease, make such alterations in and/or additions to the leased premises including, without prejudice to the generality of the foregoing alterations, in the water, gas, and the electric wiring system, as may be necessary to fit the same for its business, upon first obtaining the written approval of Landlord as to the materials to be used and the manner of making such alterations and/or additions. Landlord covenants not to unreasonably withhold approval of alterations and/or additions proposed to be made by Tenant. Tenant may also, at its own expense, install such counters, racks, shelving, fixtures, fittings, machinery and equipment upon or within the leased premises as Tenant may consider necessary to the conduct of its business. At any time prior to the expirations or earlier termination of the lease, Tenant may remove any or all such alterations, additions or installations in such a manner as will not substantially injure the leased premises. In the event Tenant shall elect to make any such removal, Tenant shall restore the premises, or the portion or portions affected by such removal, to the same conditions as existed prior to the making of such alteration or addition; storm, civil commotion or other unavoidable cause excepted. All alterations, additions or installations not so removed by Tenant shall become the property of Landlord without liability on Landlord's part to pay for the same.

UTILITIES

6. Tenant shall pay all charges for water, gas and electricity consumed by Tenant upon the lease premises.

OBSERVANCE OF LAWS

7. Tenant shall duly obey and comply with all public laws, ordinances, rules or regulations relating to the use of the leased premises, provided, however, that any installations of fire prevention apparatus, electric rewiring, plumbing changes or structural changes in the building on the leased premises required by such law, ordinance, rule, or regulation shall be made by Tenant without expense to Landlord (except that premises shall comply with all laws, ordinances, rules and regulations upon completion of Improvements by Landlord and occupancy by Tenant). Also, Tenant shall perform no act or carry on no practice that may be a nuisance or detract from the attractiveness of the center as a whole nor use the Premises for any illegal purposes nor violate any statute, regulation, rule or order of any governmental authority.



SIGNS

8. Tenant shall have the right, subject to Landlord's or Landlord's agent consent and approval, to erect, affix or display on the roof, exterior or interior walls, doors and windows of the building on the leased premises, such sign or sign advertising its business as Tenant may consider necessary or desirable, subject to all applicable municipal ordinances and regulations with respect thereto, so long as said signage shall be similar to that allowed to other Tenants.

TERMINATION BY REASON OF DEFAULT

9. In the event that either of the parties hereto shall fail to perform any covenant required to be performed by such party under the terms and provisions of this lease, including Tenant's covenant to pay rent, and such failure shall continue unremedied or uncorrected for a period of thirty (30) days after the service of written notice upon such party by the other party hereto, specifying such failure, this lease may be terminated, at the option of the party serving such notice, at the expiration of such period of thirty (30) days; provided, however, that such termination shall not relieve the party so failing from liability to the other party for such damages as may be suffered by reason of such failure. Tenant hereby agrees to pay all costs of collection of rent or enforcement of any provision in this lease, including reasonable attorney's fees, in the event of default by Tenant.

CONDEMNATION

10. In the event that the leased premises shall be taken for public use by the city, state, federal government, public authority or other corporation having the power of eminent domain, then this lease shall terminate as of the date on which possession thereof shall be taken for such public use, or at the option of Tenant, as of the day on which the premises shall become unsuitable for Tenant's regular business by reason of such taking.

ASSIGNMENT

11. Tenant may not assign this lease or sub-let the premises or any part thereof for any legitimate use, without the consent of Landlord, which shall not unreasonably be withheld.

Two handwritten signatures are present in the bottom right corner of the page. The first signature is a stylized 'A' with a checkmark-like flourish. The second signature is a more complex, cursive-style signature, possibly reading 'APB' or similar, enclosed in a circular loop.

LANDLORD'S RIGHT TO ENTER PREMISES

12. Tenant shall permit Landlord or Landlord's agent, on or after (60) days next preceding the expiration of the term of this lease, to show the premises to prospective tenants at reasonable times, and to place notices on the front of said premises or on any part thereof, offering the premises for lease or for sale.

LATE PENALTY

13. A late penalty equal to 5% of the monthly rental amount shall be assessed for all rents received after the 10th of the month. Such charge or money obligation and interest thereon may be treated as additional rent hereunder by Landlord.

NOTICES

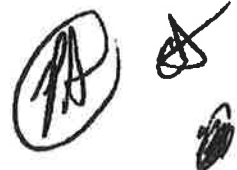
14. All notices to Landlord shall be sent to:

VILLA RICA MARKETPLACE LLC,
c/o MEL FRANK REALTY SERVICES
6760 RIVER SPRINGS CT,
SANDY SPRINGS, GA 30328

All notices to Tenant shall be sent to:

PAUL ANDERSON,
c/o BROTHER'S ROADHOUSE,
901 S CARROLL ROAD,
SUITE D
VILLA RICA GA 30180.

Email: paul.anderson17@yahoo.com



SUBORDINATION

15. This lease shall always be subordinate to any mortgage now or hereafter placed against the property in which the Tenant's premises are located, and the Tenant agrees to execute such documents as are necessary to complete such subordination, or in lieu thereof, Tenant appoints Landlord or Landlord's agent Tenant's agent irrevocably to execute such documents as are necessary to complete such subordination.

QUIET ENJOYMENT

16. As long as the Lessee (Tenant) performs all of the covenants and conditions of this lease he shall have peaceful and quiet enjoyment of the demised premises for the term of this lease.

LANDLORD BUILDOUT ALLOWANCE

17. There is NO Build Out Allowance provided by Landlord to Tenant during the term of this Lease.

SPECIAL STILPULATIONS

18. Tenant agrees to be responsible to collect and pay over to Landlord an amount of \$3,600 (THREE THOUSAND SIX HUNDRED) Dollars to be collected from previous Tenant Adam Anderson dba as Luthers Bistro for failing to pay over Rent for the months of April and May 2019. This amount becomes due and payable by Tenant to Landlord within 10 days after Lease signing.

AND IT IS MUTUALLY UNDERSTOOD AND AGREED that the covenants and agreements herein contained shall inure to the benefit of and be equally binding upon the respective executors, administrators, heirs, successors and assigns of the parties hereto.

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

VILLA RICA MARKETPLACE LLC as LANDLORD





WITNESS



CHRISTIE and PAUL ANDERSON as TENANT

WITNESS

BY: 
It's 

CITY OF VILLA RICA

**Application for Original Alcoholic Beverage License
Public Notice (Sign) Sworn Statement**

I (we) Paul Anderson
Individual, corporation or partnership applying for license. If corporation or partnership, also list named licensee.

Applicant(s) for an Alcoholic Beverage License in the City of Villa Rica, do solemnly swear, subject to criminal penalties for false swearing that I (we) have posted a notice (sign) at:

901 S. Carroll Rd. Villa Rica
Street Address

Which complies with all requirements of Chapter 3, of the Alcoholic Beverage Ordinance of the City of Villa Rica.

[Signature]
Applicant(s) Signature (FULL NAME IN INK)

I hereby certify that Paul Anderson signed his or her
Applicant

name to the foregoing statement after stating to me that he/she knew and understood all statements made therein, and, under oath actually administered by me, has sworn that said statement is true.

This 12th day of August 2019
[Signature]
Notary Public



STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF ORGANIZATION

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

Brothers Bar & Steakhouse LLC

a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **08/06/2019** by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on **08/09/2019**.



Brad Raffensperger

Brad Raffensperger
Secretary of State

ARTICLES OF ORGANIZATION

Electronically Filed
Secretary of State
Filing Date: 8/6/2019 3:45:30 PM

BUSINESS INFORMATION

CONTROL NUMBER 19106945
BUSINESS NAME Brothers Bar & Steakhouse LLC
BUSINESS TYPE Domestic Limited Liability Company
EFFECTIVE DATE 08/06/2019

PRINCIPAL OFFICE ADDRESS

ADDRESS 901 S Carroll Rd, villa rica, GA, 30180, USA

REGISTERED AGENT

NAME	ADDRESS	COUNTY
paul c anderson	214 sunny ln, villa rica, GA, 30180, USA	Carroll

ORGANIZER(S)

NAME	TITLE	ADDRESS
paul c anderson	ORGANIZER	214 sunny ln, villa rica, GA, 30180, USA

OPTIONAL PROVISIONS

N/A

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE paul anderson
AUTHORIZER TITLE Organizer



SAMPLE PUBLIC NOTICE AND ADVERTISEMENT

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

Paul Anderson has filed an application
Individual, Corporation or Partnership applying for license. If Corporation or Partnership, also list licensee.

to sell alcoholic beverages on the premises 901 S. Carroll Rd. Villa Rica
Street Address

as a Restaurant / BAR
Type of Outlet/Type of license

A public hearing on the application will be held on Aug. 27th
Day and Date

at 6:00 a.m./p.m. at the Holt-Bishop Justice Center, Municipal Court Room, 101 Main Street, Villa Rica, Georgia. For additional information on this application, contact the Community Development Department at 678-785-1022.

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



Alcohol License Checklist

This form shall be submitted with all necessary documentation. All applications shall contain a full and complete and sworn and notarized statement by each applicant of all material facts relevant to the requirements of City of Villa Rica Alcohol License Ordinance Code Chapter 4.

- ☒ Read and fully comprehend Alcohol License Ordinance.
- ☐ Choose the applicable property ownership information provided:
 - ☐ A copy of the deed to the premises, if owned by the licensee;
 - ☒ A copy of the lease agreement covering the premises to be licensed, if leased by the licensee;
 - ☐ In the case of a partnership, a copy of the partnership agreement;
 - ☐ In the case of a corporation, a copy of the articles of incorporation
- ☒ Application Fee (See Ordinance)

*Conducted at Villa Rica Police Department, located at 101 Main St., each applicant and any corporate officers or shareholders otherwise required to be fingerprinted shall submit themselves to the police department, where a complete set of fingerprints shall be taken. Each applicant authorizes the city and its agents to secure from any court, law enforcement agency, or other public agency his criminal and civil history and to use such information in determining whether the license applied for shall be issued. Each applicant further authorizes the city and its agents to use such information in any public hearing with respect to the license applied for, either before or after the issuance of the license. Each applicant waives any right which he would otherwise have to preclude the city or its agents from obtaining and using such information; and each applicant further waives any liability of the city or its agents from obtaining and using such information.

Paul Anderson Aug 5th, 2019
Applicant's Name Date



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Amendment # 1 to Agreement with Brennan Jones Engineering Associates, LLC.

AGENDA DATE: August 27, 2019

DATE PREPARED: August 15, 2019

PREPARED BY: Pete Zorbanos

AMOUNT: \$7,500.00

GL ACCOUNT #: 505-4414-521200

FUNDING SOURCE: GEFA

BUDGETED ITEM? No

PURPOSE: To approve an amendment to the professional services agreement with Brennan Jones Engineering Associates, LLC.

BACKGROUND: The City engaged Brennan Jones Engineering to assist us in evaluating all of the wastewater pumping stations. Sanitary sewer manholes at force main discharge locations and manholes in proximity to the pump stations were also inspected. Subsequently, numerous deficiencies were determined such as deterioration and corrosion caused by hydrogen sulfide gas, root intrusion, and active leaks that will require repair. An additional 100 manholes have been identified and are recommended for inspections. This amendment is to broaden the scope to include these manhole inspections.

STAFF RECOMMENDATION: Staff recommends approval of the attached agreement for an amount not to exceed \$7,500.00.

IMPACT: The goal of this project will be to eliminate leaks and reduce inflow and infiltration (I&I), conduct structural repair of all structures and manholes, clean and remove roots and obstructions, and provide a protective coating against hydrogen sulfide corrosion.

MOTION: I move that we approve an amendment to the agreement with Brennan Jones Engineering Associates, LLC. for an amount not to exceed \$7,500.00.

(AMENDMENT 1)
AGREEMENT FOR ENGINEERING SERVICES BETWEEN
CITY OF VILLA RICA, GEORGIA AND
BRENNAN JONES ENGINEERING ASSOCIATES, LLC
FOR
PUMP STATION AND MANHOLE STRUCTURE REHABILITATION

May 21, 2019
Amendment 1, August 15, 2019

WORK ORDER NO. 17003.08

This Work Order has been prepared in accordance with the Agreement for Engineering Services between Brennan Jones Engineering Associates, LLC and City of Villa Rica, Georgia, dated September 15, 2017.

Introduction and Background

Villa Rica has completed evaluations of all wastewater pumping stations. As part of this work, sanitary sewer manholes at force main discharge locations and manholes in proximity to pump stations have been inspected. These investigations have revealed that many of the pump station structures and gravity sewer manholes have deficiencies that need to be addressed. These deficiencies include but are not limited to root intrusion (i.e. indication of leaking), active leaks, and structure deficiencies including corrosion caused by hydrogen sulfide (H₂S).

To address these issues, the City will issue a construction contract that will be targeted to address pump station structure and manhole leaking and corrosion. The construction contract will be clean manholes and pump station structures, kill and to remove roots, permanently stop active leaks, and where corrosion is present, manholes and pump stations will be structurally repaired using a cementitious product and then the surfaces will be coated with a high build epoxy corrosion resistant coating such as Raven Lining Systems (Raven 405), or similar product.

The objective of the project is to stop leaks and reduce Inflow and Infiltration (I&I), clean structures, remove roots or of obstructions in structures, structural repair of manholes and pump station structures, and to provide protection from H₂S corrosion.

A construction budget of \$350,000 has been established for this project. It is anticipated that approximately 100 manholes and approximately 10 of the pump stations will be rehabilitated as part of this project.

Work completed to date includes identification and inspection of 157 inspections of structures including manholes and pump stations. A map that shows locations of structures that have been investigated or are scheduled to be investigated is attached for reference. The green dots represent structures that have been inspected to date and red dots represent structures that either could not be located or could not be opened. We are working with City Water and Sewer Department staff to assist us with finding and opening the structures for inspection. Based on the inspections to date, 115 of the structures require some sort of rehabilitation.

We have met with City Water and Sewer Department staff to discuss findings of the field investigation and the approach that will be taken for rehabilitation of the structures. Based on these discussions and to maximize the cost to benefits, the rehabilitation project will be focused on structures identified with the most severe conditions of corrosion and/or leaks. Structures with minor defects, will be identified for rehabilitation via a separate construction contract or by City Water and Sewer Department staff depending on availability of resources.

In addition, we discussed adding additional manhole inspections in areas that likely have defects, which may result in inflow and infiltration. We have identified approximately 100 manhole location on outfall sewer lines that are recommended for inspections. A map showing the additional inspection areas is attached for reference. These areas include the following locations:

- Along the North Plant interceptor sewer located along the shoreline of Lake Val Do Mar (Mirror Lake)
- Bay Springs interceptor sewer along the swamp and creek channel

Work Order 17003.08
Pump station and Manhole Structure Rehabilitation
City of Villa Rica, Georgia
May 21, 2019

- Sewer from Gold Dust Park to West Industrial Court
- Sewer from Barber Industrial Court along the RR to the West Plant influent structure
- Interceptor sewer lines east of the West Plant Influent structure to SR61/101 Bypass

The proposal below is to amend the original project scope to include the inspections of the additional manhole structures and to include rehabilitation of these additional structures as part of the pump station and manhole rehabilitation project.

Scope of Services

BJEA will perform the following tasks for this project:

Task 1a – Additional Field Investigation. Filed investigation of approximately 100 manhole structures as indicated on the attached map entitled “Additional Sewer Investigation Area.” We understand that a Water & Sewer Department staff member will be available to assist with the manhole locations and inspection work. The work will include inspections, photo documentation, measurements and evaluations of each manhole structure. This data will be used to develop appropriate rehabilitation work required to address conditions identified.

Schedule

We anticipate that the additional manhole inspection work will be completed within 3 weeks and the actual work will require approximately 4 full working days in the field plus back-office analysis of data. The fieldwork will be scheduled with City Water and Sewer Department to work within their schedule.

Fee:

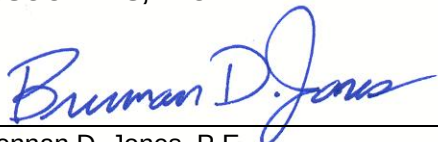
The fee for services outlined above will be performed on a Lump Sum as shown below. BJEa will submit invoices on a monthly basis for services completed during the previous month. The following is a breakdown of fee by tasks associated with the scope of services outlined above

Task Description	Lump Sum & Hourly Budget
Task 1a – Data Analysis and Field Investigation	\$7,500.00 (LS)
Total	\$7,500.00

Reimbursable Expenses (mileage, copies, permit fees, etc.) are included in the budget above. Any services, which are not included in the scope of services will be performed on a time and expense basis in accordance with the attached Unit Rate Schedule after written authorization has been received from the Client. For any authorized additional services, BJEa will submit a detailed invoice for services on a monthly basis for all project related activities and services completed during the prior month.

OWNER and CONSULTANT have caused this Agreement to be amended by representatives duly authorized to act, all as of the effective date of August 15, 2019.

CONSULTANT
**BRENNANJONES ENGINEERING
ASSOCIATES, LLC**



Brennan D. Jones, P.E.
Principal

OWNER
CITY OF VILLA RICA, GEORGIA

Tom Barber
City Manager

Date August 15, 2019

Date _____

SEWER INVESTIGATION AREA

This map displays a sewer investigation area with various locations and roads. Key locations include:

- Reid Plantation
- Guardian Angel
- Hubbard Court
- Brandywine
- South Woods
- Conners Rd
- Ashley Place
- Turano Bakery
- Private - @Gas Station Liberty Rd
- Weatherstone
- Luthers Mill
- Augusta Woods #2
- Bivins Rd
- Club Bay
- Bay Springs
- Ithaca School
- Private - G. Couey Development
- Augusta Woods #1
- Twin Oaks #2
- Ashbury
- Hickory Falls
- Three West
- Waterford
- West Plant Influent
- Catamaran Cove
- Cleghorn St (East-West Transfer)
- Florence Circle
- Edge Rd
- Private - @Gas Station Liberty Rd
- Weatherstone
- Luthers Mill
- Augusta Woods #2
- Bivins Rd
- Club Bay
- Bay Springs
- Ithaca School
- Private - G. Couey Development

Major roads shown include:

- SR 101
- SR 61
- SR 62
- SR 63
- SR 64
- SR 65
- SR 66
- SR 67
- SR 68
- SR 69
- SR 70
- SR 71
- SR 72
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- SR 90
- SR 91
- SR 92
- SR 93
- SR 94
- SR 95
- SR 96
- SR 97
- SR 98
- SR 99
- SR 100

Water bodies shown include:

- Mud Creek
- Crawfish Creek

A scale bar at the bottom indicates distances from 0 to 8,000 feet. A north arrow is located in the bottom left corner.

[illegible]

0 1,000 2,000 4,000 6,000 8,000 Feet



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Enclosure for existing metal building at the Old West Plant

AGENDA DATE: August 27, 2019

DATE PREPARED: August 15, 2019

PREPARED BY: Pete Zorbanos

AMOUNT: \$11,565.00

GL ACCOUNT #: 505-4440-541210

FUNDING SOURCE: Water/Sewer Capital

BUDGETED ITEM? Yes

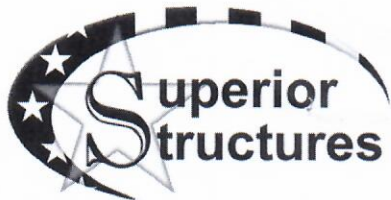
PURPOSE: To enclose the east side of the existing metal building at the Old West Plant and install a 14 foot roll up door.

BACKGROUND: As part of the relocation of the water distribution department, there is a need to store and secure an area for parts and supplies. This can be accomplished by enclosing this portion of the building and providing access with a 14 foot door.

STAFF RECOMMENDATION: To engage Superior Structures for construction services to enclose the east side of the existing metal building at the Old West Plant, and install a 14 foot roll up door with an electric operator in an amount not to exceed \$11,565.00.

IMPACT. This will provide secure storage for parts and supplies, and free up space in the Avanti Building were these items are currently stored.

MOTION: I make the motion to engage Superior Structures for construction services to enclose the east side of the existing metal building at the Old West Plant including the installation of a 14 foot roll up door with an electric operator in an amount not to exceed \$11,565.00.



3982 Carrollton Villa Rica Hwy
Carrollton, GA 30116
Office (770) 832-9939

Proposal/Quote

Quote Valid for 30 Days

Date 08-15-19 Salesperson MR
Source of Referral _____
Customer Name Villa Rica Waste Water Dept
Address _____
City _____ State _____ Zip Code _____
Home Phone _____ Work Phone _____
Fax Number _____ Cell Phone 404-360-9450 (pete)
Email address pzorbanos@villarica.org

☐ Carport ☐ RV Cover ☐ Classic ☐ Gambrel ☐ Custom ☐ Deluxe ☐ Combo ☐

Size X X _____

Options:

Enclose existing structure consisting of
• 64' of wall @ 10' height (side + back)
• 19' of wall @ 24' height (front)
• Framing in and cover +/- 2 1/2 ft gaps between the free standing structure to building
• Enclose 4x4 opening to specified size for vent of window
• Install 14x14 chain hoist door
Sales tax (if applicable)
\$ 10,770.00
\$ 547.12

Total Built Price

Total Before Tax (Sales Tax will be added to the material cost on the Sales Contract) → \$ 11,317.12

☐ Carport ☐ RV Cover ☐ Classic ☐ Gambrel ☐ Custom ☐ Deluxe ☐ Combo ☐

Size X X _____

Options:

• Above includes cost of us providing an all terrain lift
• Cost to add electric operator
• All American MATE Components
\$ 795.00

Total Before Tax (Sales Tax will be added to the material cost on the Sales Contract) \$



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2019 Millage Rate
AGENDA DATE: 8/27/2019

DATE PREPARED: 8/15/2019
PREPARED BY: Sarah Hefty

AMOUNT: \$3,844,622
GL ACCOUNT #: 100-311100 (Carroll), 100-311150 (Douglas)
FUNDING SOURCE: Revenue in General Fund
BUDGETED ITEM? FY2020 Budget

PURPOSE: To discuss proposed 2019 Millage Rate.

BACKGROUND:

Change in Carroll Tax Digest from 2018:
Change in Douglas Tax Digest from 2018:

Increase of 16.1%
No change (increase in property values offset
with increase in exemptions)

Current Millage Rate: 6.0560
Proposed Millage Rate: 6.0560

Taxes Levied in 2018: \$3,514,257
Proposed Taxes in 2019: \$3,844,622

Change in Taxes Levied: Increase of \$330,365
Percentage Change: 9.4%

STAFF RECOMMENDATION: To adopt the millage rate of 6.0560 for 2019.

MOTION: I make a motion that we adopt a millage rate of 6.0560 for 2019.



CITY OF VILLA RICA
FINANCIAL UPDATE
July 2019

CASH			SELF-FUNDED INSURANCE			TOTAL SAVINGS	\$ 740,675
	07-31-2018	07-31-2019	Contributions		Expenses		Savings
Total Cash & CD	\$ 10,385,506	\$ 15,146,544	Employer + Employee		Admin + Claims Paid		Difference
General Fund	\$ 4,543,731	\$ 7,388,499	Oct-Dec '18	410,509	Oct-Dec '18	326,989	83,519
Water/Sewer Fund	\$ 1,563,594	\$ 2,630,604	Jan-Mar '19	393,706	Jan-Mar '19	315,546	78,160
Sanitation/Solid Waste	\$ (42,518)	\$ (61,581)	Apr-Jun '19	397,898	Apr-Jun '19	368,518	29,380
2008 Carroll SPLOST	\$ 376,624	\$ 262,626	Jul '19	136,630	Jul '19	147,095	(10,465)
2015 Carroll SPLOST	\$ 478,894	\$ 1,187,947					
2016 Douglas SPLOST	\$ 160,473	\$ 823,005	TOTALS	\$1,338,742		\$ 1,158,148	\$ 180,594
OTHER HIGHLIGHTS			GROWTH				
	July 2018	July 2019	July 2018		July 2019		
Carroll Co LOST	\$ 1,012,985	\$ 1,146,090	<i>Residential</i>	# Amount	# Amount		
Douglas Co LOST	\$ 937,044	\$ 1,034,847	Building Permits	127 \$ 266,695	222 \$ 474,199		
Carroll Co SPLOST	\$ 1,276,825	\$ 1,441,393	Water Taps	131 \$ 196,500	225 \$ 337,500		
Douglas Co SPLOST	\$ 909,794	\$ 1,102,190	Sewer Taps	134 \$ 536,000	219 \$ 876,000		
Total # of Employees (Excludes Seasonal)	156	165	<i>Commercial</i>	# Amount	# Amount		
			Building Permits	8 \$ 89,806	2 \$ 2,813		
			Water Taps	6 \$ 23,200	2 \$ 9,950		
			Sewer Taps	5 \$ 71,500	- \$ -		
BUSINESS ACTIVITY			SANITATION/ SOLID WASTE				
WATER/SEWER	July 2018	July 2019	July 2018		July 2019		
Water Revenue	\$ 2,392,514	\$ 2,520,591	Sanitation Revenue	\$ 660,024	\$ 701,830		
Sewer Revenue	2,426,739	3,255,461	Solid Waste Revenue	200,933	341,648		
Misc. Revenue	959,675	1,395,367	Misc. Revenue	60,278	-		
Total Revenue	\$ 5,778,928	\$ 7,171,420	Total Revenue	\$ 921,235	\$ 1,043,477		
Utility Administrator	\$ -	\$ 357,459	Sanitation Expenses	\$ 545,450	\$ 591,010		
Water Expenses	1,039,945	1,090,638	Solid Waste Expenses	421,681	383,275		
Sewer Expenses	1,245,978	1,336,203	Depreciation	46,924	53,928		
Dist./Coll. Expenses	1,033,029	997,716	Total Expenses	\$ 1,014,055	\$ 1,028,214		
Debt Expense	1,539,758	1,587,005					
Depreciation	1,276,569	1,300,833					
Total Expenses	\$ 6,135,278	\$ 6,669,853					
Net Income (Loss)	\$ (356,350)	\$ 501,567	Net Income (Loss)	\$ (92,820)	\$ 15,264		