

Planning & Zoning Commission
Regular Public Hearing
Tuesday, April 25, 2006

The Planning & Zoning Commission met in a regular public hearing on Tuesday, April 25, 2006 at 7:00 p.m. In attendance were Commission Chairman Andre Holland; Commissioner Kurt Kraft; Commissioner Janet Heilman; Commissioner Susan George; Commissioner Mike Gill; City Manager Bob Zellner; Zoning Manager Taurus Freeman and Zoning Technician Rita Peele. There were approximately twenty-three (23) members of the public in attendance.

Chairman Holland called the meeting to order at 7:00 p.m. Peele read the agenda to be followed at this meeting. Commissioner Heilman motioned to approve the agenda with Commissioner Kraft seconding. Motion carried 5/0.

Motion to approve February 28, 2006 minutes was made by Commissioner Heilman and seconded by Commissioner Kraft. Motion carried 4/0 with one (1) abstention by Commissioner Gill since he wasn't on the Planning Commission at the February meeting.

City Manager, Bob Zellner conducted swearing in ceremony for Mike Gill as Planning Commissioner. Chair Commissioner Andre Holland presented former Commissioner Brenda Gray with a plaque of appreciation for service on the Planning Commission Board.

Freeman presented Annex-01-06, Couey-Morgan Investments, LLC, of Villa Rica request for annexation for property located at the southern intersection of Whitworth Road and SR 61 in Land Lot 61 of the 6th District in Carroll County. The property consists of 37.5+/- acres and is located in Ward 5. Applicant Glenn Couey, 107 Hamilton Circle, Bremen, Georgia explained that he and Larry Morgan have owned the property for a couple of years. They have already had the property rezoned through Carroll County from agriculture to commercial. Couey is ready to proceed with curb cuts and already has the approval from the Department of Transportation. Freeman explained that the annexation request is one (1) of five (5) applications requesting to be annexed into the city limits of Villa Rica. They are a pre-cursor to RA-06-06, rezoning request by Glenn Couey.

Lisa Hewitt, 239 Hendrix Road spoke in opposition of the request. Hewitt has several concerns regarding how the request would affect her family-owned property and wants the community to be protected from over development.

Freeman explained how the annexation request has met the minimum requirements regarding the 100% method.

Matt Bailey of 180 Legend Drive questioned whether a crime study had been done and if there is sufficient fire and police protection for the property if annexed. Freeman explained that the property would use the City of Villa Rica police services.

James Gilreath, 125 Legend Drive wants a larger buffer setback because of his lake, which feed into the lake at the Legend Park subdivision.

Couey described the proposed development and that he has been in the business of roller rinks since 1962. He wants to go on record as saying that he is not trying to change the setbacks on the property and wants to be annexed into the City of Villa Rica for the water and sewer service.

Freeman suggested presenting the next two (2) annexation requests of Couey's so that they could be heard at the same time.

Freeman presented Annex-02-06, Glenn and Julie Couey of Villa Rica, requesting an annexation for property located at 2011 SR 61, in Land Lot 61 of the 6th District. Annex-03-06, Couey-Morgan Investments, LLC requesting an annexation for the property located at 2022 SR 61, in Land Lot 61 of the 6th District. All of the properties are located in Carroll County.

Motion was made by Commissioner Gill to recommend annexation of the three properties into the City. Commissioner George seconded. Motion carried 3/1 with Commissioner Kraft opposing.

Next, Freeman presented RA-04-06, Messer Properties of Douglasville, GA. requesting a rezoning from RD (Rural Development) to OI (Office-Institutional) for the properties located at 111, 124, 145 Edge Road; 35 S. Wilson Street; and the lot located on the southwester corner of South Wilson Street and Edge Road, in Land Lot 160 of the 6th District, in Carroll County. The properties consist of 5+/- acres, and the request is for professional office buildings. Staff has reviewed the request and recommends approval.

Applicant, James Messer of 4850 Liberty Road, Villa Rica, described his project. Commissioner Heilman asked whether the buildings would be four (4) sided brick and about the parking lot design. Messer responded that the buildings facing S. Wilson Street and Edge Road will be three (3) sided brick/masonry and there will be no entrance to parking lot from the S. Wilson Street side.

Commissioner Heilman motioned to recommend denial of the application. Motion died due to lack of a second. Commissioner Gill motioned to recommend approval of the application with conditions. Commissioner George seconded motion. Motion carried 4/1 with Commissioner Heilman opposing. The conditions are as follows:

1. Planning & Zoning Staff shall approve a site plan prior to the issuance of any permits.

2. The developer shall submit a Master Sign Plan to be approved by Community Development Staff.
3. All structures combined shall not total more than 40,000 square feet.
4. Building Massing and Façade Treatment
 - a. Variation in Massing. A single, large, dominant building mass shall be avoided.
 - b. Building Façade Treatment
 - (1) Minimum Wall Articulation. The building bay or structural building system shall be a maximum of thirty feet (30') in width. Bays shall be bordered by architectural features such as columns, ribs or pilasters, piers, and fenestration pattern no less than twelve inches (12") in width. In order to add architectural interest and variety and avoid the effect of a single, long or massive wall, the following additional standards shall apply:
 - (a) Any wall that faces a street that exceeds sixty (60) feet in length shall include at least two (2) of the following within each successive sixty (60) foot section or part thereof:
 - (i) Change in wall plane, such as projections or recesses, having a depth of at least three percent (3%) of the length of the façade and extending at least twenty percent (20%) of the length of the façade;
 - (ii) Change in texture or masonry pattern;
 - (iii) Windows; or
 - (iv) Other design feature approved that the Community Development Director determines to adequately provide architectural interest.
 - (b) Side or rear walls that face walkways may include false windows, either glazing or pattern, and defined by frames, sills, and lintels, or similarly proportioned modulations of the wall, provided actual doors and windows are not feasible because of the nature of the use of the building façade.
 - (c) All sides of the building visible from public streets shall include materials and design characteristics consistent with those on the front.
5. Building Materials
 - a. All primary buildings shall be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including, but not limited to, natural or synthetic stone; brick; stucco; integrally-colored, textured, or glazed concrete masonry units; textured, pre-stressed concrete systems approved by the Community Development Director; or glass.
 - b. Natural wood or wood paneling shall not be used as a principal exterior wall material, but durable synthetic materials with the appearance of wood may be used. Exterior building materials shall not include the following:
 - (1) Split shakes, rough-sawn or board and batten wood;
 - (2) Vinyl siding, except on cornices and soffits;
 - (3) Field-painted or pre-finished standard corrugated metal siding; or
 - (4) Standard single- or double-tee concrete systems.

- c. Exterior building material shall extend from the cornice to within nine inches (9") of finished grade on any elevation.
 - d. In selecting exterior building materials, consideration should be given to the appropriateness of the materials to the scale of building proposed.
 - e. Painted or stained concrete block is only allowed on sides and rear of buildings that do not face a public street.
6. Parking Lot Lighting
- a. Luminaire Fixture Height. The mounting height for luminaire fixtures shall not exceed twenty-five (25) feet as measured to the top of the fixture from grade.
 - b. Uniformity Ratios. Luminaire fixtures shall be arranged in order to provide uniform illumination throughout the parking lot.
7. The developer shall install a fence and a 25-foot buffer consisting of vegetation, where devoid of adequate screening the developer shall install screening trees.
8. The developer shall install "dry lines" for sewer, and connect with the lines, within 90 days, once sewer becomes available.
9. The developer shall install underground utilities.
10. There shall be no access onto South Wilson Street.

Freeman recommended hearing RA-06-06 next on the agenda due to the large audience. Commissioner Gill motioned to hear RA-06-06 next and Commissioner Heilman seconded. Motion carried 5/0.

Freeman presented RA-06-06, Glenn Couey of Villa Rica, GA. requesting a rezoning from RD (Rural Development) to GC (General Commercial) for the properties located at 2011 State Route 61; 2022 SR 61; and the property located at the southern intersection of Whitworth Road and SR 61, in Land Lot 61 of the 6th District, in Carroll County. The properties consist of 68.5+/- acres, and the request is for professional office buildings.

Couey said he would like to have the same type commercial zoning for his property as he had in Carroll County and plans on developing on both sides of the road and bringing sewer to the property. Commissioner Gill asked Couey if he had a problem in having all the conditions from Carroll County, including sidewalks. Couey said he had no problem with this.

Couey said he wouldn't want a highly restrictive commercial zoning in the event a restaurant such as Applebee's or any other establishment that could serve alcohol, wanted to move in.

Gilreath spoke again with the concerns about the lake in Legend Park and wants Couey to have a one-hundred (100) foot setback from said lake. James Williams of 155 Legend Drive doesn't want the lake to be disturbed either.

Commissioner Holland asked Freeman if any studies have been conducted on the underground springs in that area. Freeman explained that Carroll County and the Environmental Protection Division will address any concerns regarding the springs during the Development review process.

Couey said having the property on sewer will improve water quality and will help protect the lake and has planned on restocking it.

Several citizens had concerns about buffers, spot zoning, the proposed roadway and increased crime.

After further discussion about the project a motion was made by Commissioner Kraft to recommend denial. Motion died for lack of second. Commissioner Gill motioned to recommend approval with fourteen (14) conditions with Commissioner George seconding. Motion carried 4/1 with Commissioner Kraft opposing. The conditions are as follows:

1. Planning & Zoning Staff shall approve a site plan prior to the issuance of any permits.
2. Building Massing and Façade Treatment
 - a. Variation in Massing. A single, large, dominant building mass shall be avoided.
 - b. Building Façade Treatment
 - (1) Minimum Wall Articulation. The building bay or structural building system shall be a maximum of thirty feet (30') in width. Bays shall be bordered by architectural features such as columns, ribs or pilasters, piers, and fenestration pattern no less than twelve inches (12") in width. In order to add architectural interest and variety and avoid the effect of a single, long or massive wall, the following additional standards shall apply:
 - (a) Any wall that faces a street that exceeds sixty (60) feet in length shall include at least two (2) of the following within each successive sixty (60) foot section or part there of:
 - (i) Change in wall plane, such as projections or recesses, having a depth of at least three percent (3%) of the length of the façade and extending at least twenty percent (20%) of the length of the façade;
 - (ii) Change in texture or masonry pattern;
 - (iii) Windows; or
 - (iv) Other design feature approved that the Community Development Director determines to adequately provide architectural interest.

- (b) Side or rear walls that face walkways may include false windows, either glazing or pattern, and defined by frames, sills, and lintels, or similarly proportioned modulations of the wall, provided actual doors and windows are not feasible because of the nature of the use of the building façade.
- (c) All sides of the building visible from public streets shall include materials and design characteristics consistent with those on the front.

3. Building Materials

- a. All primary buildings shall be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including, but not limited to, natural or synthetic stone; brick; stucco; integrally-colored, textured, or glazed concrete masonry units; textured, pre-stressed concrete systems and tilt-up concrete panels approved by the Community Development Director; or glass.
- b. Natural wood or wood paneling shall not be used as a principal exterior wall material, but durable synthetic materials with the appearance of wood may be used. Exterior building materials shall not include the following:
 - (1) Split shakes, rough-sawn or board and batten wood;
 - (2) Vinyl siding, except on cornices and soffits;
 - (3) Field-painted or pre-finished standard corrugated metal siding; or
 - (4) Standard single- or double-tee concrete systems.
- c. Exterior building material shall extend from the cornice to within nine inches (9") of finished grade on any elevation.
- d. In selecting exterior building materials, consideration should be given to the appropriateness of the materials to the scale of building proposed.
- e. Painted or stained concrete block is only allowed on sides and rear of buildings that do not face a public street.

4. Parking Lot Lighting

- a. Luminaire Fixture Height. The mounting height for luminaire fixtures shall not exceed twenty-five (25) feet as measured to the top of the fixture from grade.
 - b. Uniformity Ratios. Luminaire fixtures shall be arranged in order to provide uniform illumination throughout the parking lot.
- 5. All building along SR 61 shall have a minimum building setback of 100-feet from the SR 61 right-of-way.
 - 6. All buildings shall set back 150-foot for lots abutting parcels within unincorporated Carroll County.
 - 7. The developer shall submit a master sign plan for the entire development to be approved by the Community Development Department.
 - 8. The developer shall install underground utilities.

9. The developer shall submit a traffic study from a professional Transportation firm, for possible road improvements, to the Community Development Department prior to the issuance of any permits.
10. The developer shall be responsible and/or share costs of traffic improvements, as recommended in the Traffic Study (Staff recommends doing a Transportation Analysis).
11. The developer shall install walking trails and sidewalks throughout the development.
12. There shall be a 50-foot undisturbed buffer along the banks of all ponds, streams, and/or creeks.
13. The developer shall develop covenants, and file them with the Carroll County Clerk's Office for the entire development.
14. There shall be a 100-foot undisturbed buffer along the southern property lines of the developments, and a fence shall be erected at the end of the buffer for the development east of SR 61 along the southern and eastern property lines.

Freeman presented **RA-05-06**, Stuart Burnett of Villa Rica, GA. requesting a rezoning from R-20 (Single-Family Residential) to GC (General Commercial) for the properties located at 102 Thomas Dorsey Drive and 419 Montgomery, in Land Lot 160 of the 6th District, in Carroll County. The properties consist of 3+/- acres, and the request is for professional office building.

Commissioner George asked for clarification for buffer and privacy fence requirements. Freeman recommended a condition number ten (10) that should read "the developer shall install underground utilities". The Commission addressed questions to Burnett regarding sidewalks, buffers, the location of the parking lots and the number of curb-cuts. Commissioner Heilman motioned to recommend approval with Commissioner Kraft seconding motion. Motion carried 5/0. The conditions are as follows:

1. The development shall be for professional offices or a veterinarian clinic only.
2. Planning & Zoning Staff shall approve a site plan prior to the issuance of any permits.
3. There shall be no awning, banner, illuminated, mobile, or roof signs.
4. Signage shall be monument based, with a maximum height of five-feet (5') and 16 square feet of signable area.

5. Building Massing and Façade Treatment

a. Variation in Massing. A single, large, dominant building mass shall be avoided.

b. Building Façade Treatment

(1) Minimum Wall Articulation. The building bay or structural building system shall be a maximum of thirty feet (30') in width. Bays shall be bordered by architectural features such as columns, ribs or pilasters, piers, and fenestration pattern no less than twelve inches (12") in width. In order to add architectural interest and variety and avoid the effect of a single, long or massive wall, the following additional standards shall apply:

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(ii) Change in texture or masonry pattern;

(iii) Windows; or

(iv) Other design feature approved that the Community Development Director determines to adequately provide architectural interest.

(b) Side or rear walls that face walkways may include false windows, either glazing or pattern, and defined by frames, sills, and lintels, or similarly proportioned modulations of the wall, provided actual doors and windows are not feasible because of the nature of the use of the building façade.

(c) All sides of the building visible from public streets shall include materials and design characteristics consistent with those on the front.

6. Building Materials

a. All primary buildings shall be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including, but not limited to, natural or synthetic stone; brick; stucco; integrally-colored, textured, or glazed concrete masonry units; textured, pre-stressed concrete systems and tilt-up concrete panels approved by the Community Development Director; or glass.

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(2) Vinyl siding, except on cornices and soffits;

(3) Field-painted or pre-finished standard corrugated metal siding; or

(4) Standard single- or double-tee concrete systems.

c. Exterior building material shall extend from the cornice to within nine inches (9") of finished grade on any elevation.

d. In selecting exterior building materials, consideration should be given to the appropriateness of the materials to the scale of building proposed.

e. Painted or stained concrete block is only allowed on sides and rear of buildings that do not face a public street.

7. Parking Lot Lighting

- a. Luminaire Fixture Height. The mounting height for luminaire fixtures shall not exceed twenty-five (25) feet as measured to the top of the fixture from grade.
- b. Uniformity Ratios. Luminaire fixtures shall be arranged in order to provide uniform illumination throughout the parking lot.

8. The developer shall install sidewalks along the northern portion of the property.

9. Parking shall be located on the side of the building.

10. The developer shall install underground utilities.

Staff comments were made by Freeman, in which he reminded Planning Commissioners that a Vice-Chairman needs to be elected. Commissioner George nominated Commissioner Kraft and Commissioner Heilman seconded. Motion carried 4/0.

Freeman said the Comprehensive Plan has not been returned by the Department of Community Affairs.

City Manager, Bob Zellner presented information to the Commissioners about the by-pass and showed the location on the map.

Commission Chairman Holland asked for a motion to approve the March 28th minutes. Commissioner Heilman motioned to approve the minutes with Commissioner George seconding. Motion carried 3/0 with two (2) abstentions.

Commissioner motioned to adjourn with Commissioner Kraft seconding. Motion carried 5/0. Meeting adjourned at 9:35 p.m.

Planning and Zoning Chairperson

Zoning Manager