

Planning & Zoning Commission
Regular Public Hearing
Tuesday, June 27, 2006

The Planning & Zoning Commission met in a regular public hearing on Tuesday, June 27, 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; Zoning Manager Taurus Freeman and Zoning Technician Rita Peele. There were approximately five (5) 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 George seconding. Motion carried 5/0. Motion to approve April 25, 2006 minutes was made by Commissioner Heilman and seconded by Commissioner Kraft. Motion carried 5/0.

Freeman presented ALT-01-06, 381 North, LLC, of Villa Rica, GA requesting an alteration to a rezoning condition for the property located at 1301 and 1305 W. Highway 78, in Land lot 165 of the 6th District in Carroll County. The request is to allow for issuance of permits. Freeman explained how the original application was approved by City Council with eight (8) conditions on October 4, 2005. The applicant is requesting an alteration to condition eight (8); which states, "No permits shall be issued until the West Waste Water Treatment plant has improved its capacity of 780,000 gallons per day to no less than 1.4 million gallons per day or the level approved by the State Water Planning District".

Applicant, Jeff Matthews, spoke for the proposal. Commissioner Gill asked several questions concerning why Matthews wanted the condition lifted and what effect it would have on other developments. Matthews explained that as the City addresses its sewer issues he would like to move forward on his development and in the process be willing to forfeit his vested rights. Matthews added that if the City hasn't addressed this problem within (2) years, he is willing to add his own on-site waste water package plant. The treatment plant would be owned and managed by the Home Owners Association.

Commissioner Kraft asked for some clarification on the sewer capacity. Freeman responded that we don't have any hard-core numbers but the estimation is approximately at a 70 to 75% capacity.

Commissioner Gill asked Matthews what type of permits he is requesting. Matthews said all he is asking for is a Land Disturbance permit so he can at least get started. Freeman said if approved, other developments should be relieved of the requirements,

Motion was made by Commissioner George to recommend denial, with Commissioner Heilman seconding motion. Motion carried 3/2.

Freeman presented RV-01-06; City of Villa Rica is requesting a reversion for property located on the southeastern side of the Berry Drive and Daniel Road intersection in Land

Lot 130 of the 6th district in Carroll County from GC, (General Commercial), and OI (Office-Institutional) to RD (Rural Development) and consists of 3.5 acres. Freeman discussed the application and gave a brief explanation as to why the City initiated the reversion. The original rezoning request was approved by City Council in July 7, 1987. The development was part of the Pebblebrook Subdivision and had commercial out-parcels. The commercial property was never developed. City Council approved a request to rezone approximately 1.76 acres on July 6, 2004 for a proposed business park. A land disturbance permit was issued November 29, 2004, but no action has been performed since then. A land disturbance permit is only good for a 12 month period.

Bob Dean, 1136 Lakeshore Court, Villa Rica, GA asked for the City to extend grading permit so they can complete the project. Dean presented the engineering plans for property which showed the business center and office suites.

Commissioner Heilman asked for clarification whether 18 wheeler traffic would be allowed in an OI zoning and if Mr. Dean's project would have loading docks. Freeman responded that the spirit of the ordinance did not include 18 wheeler traffic in an OI (Office Institutional) zoning. Dean reassured Planning Staff that his project did not have loading docks and they didn't need to be concerned with 18 wheeler traffic. Freeman explained, if the request is approved, the applicant would have to resubmit development plans to Staff for approval.

Motion was made by Commissioner Heilman to recommend approval of reverting GC (General-Commercial) back to RD (Rural Development) and deny reversion of OI (Office-Institutional) with project commencing within sixty (60) days. Commissioner Gill seconded motion. Motion carried 5/0.

Freeman presented RA-07-06. Mary Ann Smith Leathers of Sarasota, Florida, requests a rezoning for property located at 1607 W. Hwy 78, in Land Lot 166 of the 6th District in Carroll County from RD (Rural Development) to GC (General Commercial). The property consists of 3+/-acres. Freeman explained that the agent for application was not present and if any questions were asked from the Planning Commissioners, no one representing the property would be there to answer them. Motion was made from Commissioner Heilman to table the application with Commissioner Kraft seconding, motion carried 5/0.

Next Freeman presented the United Development Code update with a slide show presentation. Freeman explained the changes and processes along with the new zoning districts.

Motion to adjourn at 9:25 p.m. was made by Commissioner Heilman and seconded by Commissioner Kraft. Motion carried 5/0.

Planning and Zoning Chairperson

Zoning Manager