

Planning & Zoning Commission

Regular Public Hearing

Tuesday, July 29, 2008

The Planning & Zoning Commission met in a regular public hearing on Tuesday, July 29, 2008 at 7:00 p.m. In attendance were Commissioner Kurt Kraft; Commissioner Mike Gill; Commissioner Polly Oliver; Commissioner Robert Francis; City Manager Larry Wood; Councilman Perry Amidon; Planning and Zoning Manager Taurus Freeman and Zoning Technician Rita Peele. Commission Chairman Andre Holland was absent with notification. There were seventeen (17) members of the public in attendance.

Commissioner Kraft called the meeting to order at 7:00 p.m. Commissioner Gill motioned to approve minutes for the May 27, 2008 with a correction. The May minutes state Commissioner Gill motioned to recommend approval of ORD-02-08 and Commissioner Gill seconded. The minutes should read that Commissioner Francis seconded the motion. The motion, was seconded with correction by Commissioner Francis.

RA-06-08 presented by Freeman. Carroll County Development Authority of Carrollton, GA and Villa Rica Development Authority of Villa Rica, GA requests a rezoning from GI (General Industrial) to GC (General Commercial) for the purpose of a commercial retail development. The property is located at the intersection of SR 61 and SR 101, parcel number(s): V03-012-0366 and V03-012-0361, in Land Lot: 195 of the 6th District in Carroll County. The property consists of 40.28+/-acres and is located within Ward 2. Staff has reviewed the applicants request and has recommended approval with no conditions.

Commissioner Kraft recused himself from the application because he is the Chairman of the Villa Rica Development Authority.

Dennis Bartel with Dennis Bartel Real Estate, representative of McPhail Properties, spoke about the intention of the property owners which is to get the property rezoned for use as a retail center. The current slow economy will allow for more time to plan everything and to plan for tenant occupancy. The intent of the tenant occupancy is to have retail specialty shops, banks, restaurants, and perhaps a larger tenant, such as Lowes or something similar. This process could take up to two years to attract tenants. He stated they are contractually under obligation to close the transaction on the property by September 2, 2008, and the transaction is contingent on the zoning. If the zoning is approved by the Planning Commission and City Council, they will proceed with the closing on the property.

Commissioner Gill asked if the conceptual drawing was an accurate rendition of the plans. Bartel said it was fairly accurate, but could change depending on the tenant. Commissioner Gill asked if out-parcels would be sold; and Bartel responded that it was very possible. There was some discussion on highway improvement due to increased traffic if the rezoning is approved. Bartel said the developer will work in conjunction with the City and the Georgia Department of Transportation regarding intersection improvements. Commissioner Gill asked if there is any financial commitment from the developer to help with highway improvements. Bartel responded

that it should be a joint effort between the developments from both sides, and the majority of responsibility for the intersection improvement should be the developer.

Freeman explained to the audience there are buffer requirements that must be met for the protection of the adjoining property owners. There are two options for buffers, one being a 15-foot buffer with a fence or berm and landscaping, or a 30-foot buffer with a fence or berm. Additional landscaping would be needed if the lesser buffer is chosen. There is also a new lighting ordinance that will protect the adjoining properties from light spill over. City staff is currently working with the developer on the other side of the highway for signalization to alleviate some of the traffic concerns and safety.

Kurt Kraft, Chairman of the Villa Rica Development Authority gave a brief history of the site to the audience. The property has been zoned industrial for a number of years when The Carroll County Development Authority and Villa Rica Development Authority decided to request a down zoning due to a change to more residential uses in the area.

Freeman reminded Planning Commissioners that due to Commissioner Kraft abstaining from voting on the request, the vote would have to be unanimous. Commissioner Gill motioned to recommend approval conditional upon the developer working with the City and State with the traffic concerns. Commissioner Francis seconded, motion carried 3/0.

ORD-03-08 presented by Freeman An ordinance for the purpose of amending Article 9, *Sign Regulations*, Section 9.03 regarding Definitions, in the Unified Development Codes, of the City of Villa Rica Code of Ordinances; to provide an effective date; and for other purposes. This request has been withdrawn by staff and will be held again at a later date.

Freeman updated the Planning Commissioners on DRI 1512. The request for a planned development located along Reed Road, has been withdrawn indefinitely. Also, the Mayor will appoint members to the Villa Rica Historic Preservation Commission at the next City Council meeting on August 5, 2008. They will handle all the historic preservation issues, adopt design guidelines, establish historic districts and locate historic structures within the City.

Freeman introduced Larry Wood as the new City Manager, and Councilman Perry Amidon to the audience. Freeman advised the Planning Commission, there will some changes made in the Unified Development Code to address some needed changes, and Staff will present a zoning map for adoption, within the next few months.

Commissioner Gill asked Freeman if the DRI will have to go back through the DRI process if it's suspended for a long period of time. Freeman stated he will research an answer.

There being no other comments or questions, Commissioner Oliver motioned to adjourn with Commissioner Francis seconding. Motion carried 4/0. Meeting adjourned at 7:30 p.m.

Planning and Zoning Chairperson and Date

Planning and Zoning Manager